

Appendix A

*Initial Study, Notice of Preparation,
Responses to the NOP, Comments on the MND
Scoping Meeting Comments*





CITY OF SAN BUENAVENTURA INITIAL STUDY

A. Case No.: EIR 2459
General Plan Amendment A0-227
Annexation A-327
Zone Change Z-916
Specific Plan SP-6
Subdivision S-5632
Design Review, Case No.ARB-2985
Development Agreement DA-38

B. Lead Agency Name/Address: City of San Buenaventura (Ventura)
501 Poli Street
PO Box 99
Ventura, CA 93002

Staff Planner/Telephone Number: Iain Holt/(805) 654-7752

Project Applicant Name/Address: Westwood Communities Corporation
1263 Westwood Boulevard, Suite 210
Los Angeles, California 90024

C. Recommendation:

Based on the information contained in this Initial Study, attachments, and the findings set forth in Section III.P, staff has concluded that specific plan implementation would not have a significant effect on the environment and a preliminary Mitigated Negative Declaration is recommended.

D. Project Description:

This Initial Study analyzes the impacts associated with the development of a 66.7-acre eight-parcel area in the Wells Community under the proposed Parklands Specific Plan (City of San Buenaventura Specific Plan). The applicant's proposal would involve annexation of three parcels currently under agricultural production from the County to the City. The proposal involves a General Plan Amendment changing Figure 4.3 Roadway Classification Plan of the 2005 General Plan for Telegraph Road between Saticoy Avenue to Wells Road and Wells Road between Telegraph Road and Carlos Street from secondary arterial with four travel lanes to collector with two travel lanes. A zone change from AE-40 (County Agricultural Exclusive- 40 acres) to T-4 Corridor, T3.1 Neighborhood Edge and to T-3.2 Neighborhood General (SP-6). The remaining five parcels are currently located in the city limits. The 66.7-acre specific plan area is located at the southwest corner of the intersection of Telegraph Road and Wells Road in the Wells Community of the City of Ventura. The specific plan area is bounded by Telegraph Road on the north, Wells Road

on the east, Blackburn Road and State Route 126 (SR 126) on the south, and single family homes and a mobile home park on the west (see Appendix A, Figures 1 and 2).

Development under the Parklands Specific Plan would generally include predominantly residential uses, with supporting infrastructure, green-space, community recreational space, and a small amount of service commercial development (Table 1 summarizes the development accommodated under the Specific Plan). The Specific Plan contains a regulating land use plan, as shown on Figure 3 in Appendix A. The Land Use Plan includes four different zoning classifications: Corridor, Neighborhood General Neighborhood Edge and Open Space.

**Table 1
Proposed Development**

Quantity	Type of Use
173 units	Courtyard Condominium Housing or Live-Work option ^a
110 units	Triplex and Quadplex Condominium Residential
216 units	Single Family Homes
<i>499 residential units total</i>	
6,560 s.f.	Civic Space, Community Center
25,000 s.f.	Commercial/Retail Space
11.62 acres approximately	Green-Space, Open Space and Parks ^b

s.f. = square feet

Note: ^a Within the T-4.6 Corridor Zone, multi-family developments could include a ground floor commercial component. However, if a ground floor commercial component is included, it would replace residential units (i.e., the addition of commercial space would result in an overall reduction in residential units). In no case would overall development within the T-4.6 Corridor zone exceed the equivalent of 173 multi-family condominium residences.

^b There are approximately 5.84 acres of active recreation, 1.82 acres of passive recreation, and 3.96 acres of sensitive habitat preserve (active and passive recreation designation pursuant to the Draft Specific Plan dated 8/30/2007).

Source: Parklands Specific Plan, Moule & Polyzoides, August 2007.

T-4.6 Corridor (COR) The Corridor (COR) would accommodate up to 173 attached courtyard multi-family dwelling units with the option for live-work space. This area would potentially accommodate an estimated 25,000 square feet of commercial space; however, if developed, the commercial space would replace residential units (i.e., the overall amount of development would not exceed the equivalent of 150 multi-family residences). The COR zone is intended to be occupied primarily by live-work and mixed use buildings that may accommodate retail, office, or residential uses on ground floors with offices and residences on the second and third floors. **T-3.2 Neighborhood General (NG)**. The intensities within the NG

zone are lower with single-family attached and detached houses fronting streets, parks and other public places. The NG zone is applied to areas intended for a variety and mix of houses, duplexes, triplexes, and bungalow courts on a variety of lot sizes.

T-3.1 Neighborhood Edge (NE). The Neighborhood Edge intensities are lower with single-family attached and detached houses fronting streets, parks and other public spaces. Large lot executive homes are at the Edge abutting existing detached housing on the West boundary. The NE zone is applied to areas intended for a mix of house and lot sizes, characterized primarily by detached single-family homes on larger lots.

The following components are specifically proposed and are generally illustrated on Figure 4.

A variety of architectural types mark each neighborhood area and are governed by a Form Based Development Code contained within and applied to all development that would occur under the Parklands Specific Plan. The requirements of this Development Code apply to all proposed development, subdivisions, and land uses within the specific plan area. No Building Permit or Grading Permit shall be issued by the City and no subdivision shall be approved, unless the proposed construction complies with all applicable requirements of the Development Code.

Open Space and Brown Barranca. Approximately 1,660 linear feet of Brown Barranca traverses the plan area from the northern boundary at Telegraph Road to the southeastern boundary at SR 126 and Wells Road. The applicant proposes to preserve 860 linear feet of Brown Barranca, while modifying the remaining portions (725 linear feet) up and down stream of the preserved portion. The preserved area would be excluded from public access through fencing and barrier plantings and would encompass existing unaltered riparian habitat as well as restored riparian habitat where invasive species currently occur.

The modifications to Brown Barranca include extending the existing arched concrete apron by 75 feet at the barranca's entrance to the plan area to prevent scouring downstream, culverting 725 linear feet of barranca in a triple box culvert downstream of the preserve, and converting the existing double box culvert tie in located at the downstream end of the plan area to a triple box culvert. Upon completion of the undergrounding activities, a manmade revegetated streambed would be reconstructed above the culvert would then empty into the existing concrete trapezoidal channel located culverts.

A pedestrian bridge would also be constructed across Brown Barranca to connect the commercial center in the northeastern corner of the plan area to the residential areas southwest of the barranca. The improvements to Brown Barranca were based on the improvements recommended in a Ventura County Watershed Protection District Study entitled "Brown Barranca Pre-Design Report" that was prepared by HDR Engineering and finalized in August 2005. This project utilized the design concepts in that report, adding additional culvert cells

and replacing the intermediate open channels to facilitate extension of Carlos Street westward into the project area between Blackburn Road and Telegraph Road along Wells Road.

Greenspace to be provided under the Specific Plan includes approximately 5.84 acres of active recreational parks, including a linear park/bikepath along Brown Barranca, 1.82 acres of passive recreational parks, and 3.96 acres of sensitive habitat reserves.

Circulation. Ingress and egress to the proposed development would utilize existing City streets, but will involve development of numerous internal streets including an extension of Carlos Street, which currently terminates along the eastern boundary of Wells Road. The internal street network would ultimately extend west of the plan area past Linden Drive to Saticoy Avenue. In addition, the applicant proposes to extend Nevada Avenue, which currently terminates at the northern boundary of Telegraph Road. The Nevada Avenue extension would continue southerly of Telegraph Road through the plan area (The proposed internal street network system is shown on Figure 5 in Appendix A). In addition, the project includes a network of sidewalks and bike paths.

The project goal is to create a traditional neighborhood embodying the principles of New Urbanism, emphasizing the public realm, pedestrian-friendly streets and blocks, a diversity of uses and a diversity of building types to generate a distinct sense of neighborhood identity. Project development would occur in phases, with the earthwork and infrastructure commencing as the first phase tentatively scheduled for summer 2007. The second phase would involve development of models for each of the six different product types. Subsequent phases would involve construction of 30-40 homes, with a three-month overlap of these phases. However, the building construction phase is market driven, which may cause construction to proceed faster or slower depending on market conditions.

The applicant has submitted a Draft Specific Plan, Tentative Tract Map, Traffic and Circulation Study, Noise Impact Study, Biology Impact Study, Phase I Environmental Site Assessment, Phase II Environmental Site Investigation, Cultural Resource Investigation, Geotechnical Investigation, Infrastructure Evaluation, Sewer Study, Stormwater Treatment Report, Water Supply Assessment Study and Detention Design Report for the project, which have been used for this environmental review.

E. Project Scope:

1. Location:

The 66.7-acre plan area is located southwest of the intersection of Telephone Road and Wells Road. The plan area is bounded by Telephone Road on the north, Wells Road on the east, and by Blackburn Road followed by SR 126 on the south. The western boundary is flanked by single family homes and a

mobile home park.

2. Assessor's Parcel Number:

The property is comprised of 8 assessor's parcels, including

089-0-012-004	0.41 acres
089-0-012-008	0.13 acres
089-0-012-014	21.11 acres
089-0-012-016	6.83 acres
089-0-012-018	26.42 acres
089-0-012-019	2.45 acres
089-0-012-020	5.20 acres
089-0-012-021	<u>3.10 acres</u>
Total	65.65 acres

There is a minor discrepancy between the acreage indicated in the Assessor's Parcel maps and that indicated on the plans. The discrepancy results from differences in survey methodology, with the plan acreage assessed at 1.05 acres greater than that recorded on the Assessor's maps.

3. Land Use Characteristics and Adjacent Land Use:

The plan area is currently utilized for agricultural row crop production. A supporting caretaker mobile home is located adjacent Telegraph Road near the center of the plan area. Adjacent uses are described below.

- a. North – Residential assisted living retirement community and single family residential.
- b. East – Commercial retail, educational, medical office and a detention basin.
- c. South – Blackburn Road and SR 126, with a single family residence located adjacent the northern boundary of Blackburn Road.
- d. West – Single family residential, and a mobile home park.

4. General Plan Land Use Designation:

Neighborhood Low (0-8 du/acre)

5. Current Zoning:

APNs 089-0-012-200, 089-0-012-190, 089-0-012-210, 089-0-012-045, and 089-0-012-080 are within the City limits and zoned R-1-7 (Single Family Residential). The remaining APNs are currently within unincorporated Ventura County and have a County zoning classification of AE-40 (Agricultural Exclusive -40 Acre Minimum).

6. Discretionary Permits Required:

Tentative Tract Map S-5632
 Design Review, Case No.ARB-2985
 Planned Development Permit, Case No. PD-861
 Annexation, Case No.A-327
 Specific Plan Approval, Case No.SP-6
 Zone Change from County and City designated AE-40/R-1 to SP-6, Z-916
 General Plan Amendment AO-227

7. Approvals required by other public agencies:

Department of Fish and Game Streambed Alteration Agreement
 U.S. Army Corps of Engineers 404 permit
 Regional Water Quality Control Board 401 Water Quality Certification
 Ventura County Watershed Protection District approval of modifications to
 Brown Barranca
Ventura County Local Agency Formation Commission LAFCO approval of
 annexation to the City of Ventura

F. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors highlighted in **bold** below would be potentially affected by this project. If the impact requires mitigation or warrants further investigation pursuant to public or agency comments, it is further explored and addressed in the EIR.

Aesthetics	Energy/Mineral Resources	Population/Housing
Agriculture Resources	Geology/Soils	Public Services/Recreation
Air Quality	Hazards/Hazardous Material	Utilities/Service Systems
Biological Resources	Land Use/City-Regional Plan	Transportation/Traffic
Cultural Resources	Noise	Water Quality

G. EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factor as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 1) All answers must take account of the whole action involved, including offsite as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 2) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than

significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

- 3) Negative Declaration: “Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 4) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion within this Initial Study identifies the following:
 - a) The earlier analysis used and where it is available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 5) The explanation of each issue should identify: a) The significance criteria or threshold, if any, used to evaluate each question; and b) the mitigation measure identified, if any, to reduce the impact to less than significance

This Initial Study has been prepared in accordance with the CEQA Guidelines and relevant provisions of the California Environmental Act (CEQA) of 1970, as amended. Section 15063(c) of the CEQA Guidelines defines an Initial Study as the proper preliminary method of analyzing the potential environmental consequences of a project. Among the purposes of an Initial Study are:

- 1) To provide the Lead Agency (the City of San Buenaventura) with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration;
- 2) To enable the Lead Agency to modify a project, mitigating adverse impacts, thus avoiding the need to prepare an EIR (if possible); and
- 3) Assist in the preparation of an EIR, if one is required.

II. CONCLUSION AND ACTION:

On the basis of the information contained in this Initial Study/Environmental Assessment, the Planning Commission finds that:

- The proposed project is EXEMPT from further CEQA review under Section 15061 of the state CEQA Guidelines.
- The project, as proposed, WOULD NOT have a significant effect on the environment, and a PROPOSED NEGATIVE DECLARATION will be prepared and forwarded to the Planning Commission for approval of a FINAL NEGATIVE DECLARATION.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the attached mitigation measures and monitoring program have been added to the project. A PROPOSED MITIGATED NEGATIVE DECLARATION will be prepared and forwarded to the City Council for approval of a FINAL MITIGATED NEGATIVE DECLARATION.
- The proposed project MAY have a significant effect on the environment and an EXPANDED INITIAL STUDY will be prepared to address:
- The proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT should be prepared.
- The proposed project is a SUBSEQUENT USE of a previously prepared EIR and any environmental impacts have been addressed in EIR-_____.
- On the basis of the information contained in the Initial Study, and on the record as a whole, a finding has been made that there is no evidence that there will be an adverse effect on fish or wildlife habitats or resources pursuant to Municipal Code Section 2R.450.530.

III. ENVIRONMENTAL IMPACT EVALUATION:

A. Aesthetics:

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Potentially Significant Less Than Significant Impact</u>	<u>No Impact</u>
Would the project:				
1. Affect a scenic route or approach or vista open to public view?	_____	_____X_____	_____	_____
2. Create new light or glare or block access to sunlight?	_____	_____	_____X_____	_____
3. Result in an aesthetically offensive site or condition open to public view?	_____	_____	_____	_____X_____

Impact Discussion:

1. The proposed project has the potential to alter public views from SR 126, Wells Road and Telegraph Road, some of which are visually sensitive corridors pursuant to the 2005 General Plan. This is a potentially significant impact that will be further explored and discussed in the EIR.

2. Development of the plan area would introduce street lighting and possibly parking lot and outdoor building lighting associated with the community facility and the commercial retail components. While this would introduce lighting onto parcels not currently illuminated, this lighting would be of a character normally associated with urban development, and would be regulated for different applications through lighting standards contained in the form based development code. Thus, the introduction of these sources of lighting should not adversely affect any sensitive uses in the vicinity. In addition, street lighting currently exists in the neighborhoods to the north, east, and west. Any development within the plan area would be required to conform to the development code, which provides for enhancement of exposure to light and air and includes setbacks, lot coverage, and parking lot lighting standards to ensure that new structures would not affect adjacent uses. As such, the project's impact with regard to light generation and sunlight obstruction would be less than significant.

3. The proposed specific plan would facilitate the development of up to 499 residences and a community center. The specific plan would accommodate infill development in an area that is surrounded by urban development on all four sides. The neighborhood is designed to be aesthetically interesting, offering small scale pedestrian friendly streets, bikeways, park spaces, and a variety of architectural styles and housing sizes. The plan area currently contains a number of potentially offensive visual components, such as an abandoned dilapidated semi truck trailer, rusting farm equipment enveloped by weeds, storage areas with discarded containers, garbage, etc. Development under the specific plan would alter the visual character of the existing environment, but proposed development would not create any visually offensive condition. All development accommodated under the specific plan would be reviewed by the City's Design Review Committee to further ensure that the development would be compatible with surrounding neighborhoods and consistent with the City's design guidelines. Given the above, the specific plan would have no impact with respect to the creation of an offensive aesthetic condition.

B. Agricultural Resources:

Would the project:	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Potentially Significant Less Than Significant Impact</u>	<u>Potentially Significant No Impact</u>
1. Convert prime, unique or Statewide	_____	_____	_____X_____	_____

importance farmland, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use?

- | | | | | |
|---|-------|-------|----------------------|----------------------|
| 2. Conflict with an existing agriculturally zoned property or Williamson Act contract? | _____ | _____ | _____ | _____ X _____ |
| 3. Involve other changes to the existing Environment which, due to their location or nature, could result in a conversion of Farmland to non-agricultural use. | _____ | _____ | _____ X _____ | _____ |

Impact Discussion:

1. Implementation of the proposed specific plan would convert the entire 66.7-acre plan area from its current use as row crop agriculture to a non-agriculture (residential) use. The 2005 General Plan FEIR identified the plan area as Prime Farmland, as defined by the U.S. Soil Conservation Service Important Farmlands Inventory system, and identified the conversion of Prime Farmland into non-agricultural use as a significant impact. However, under Scenario 1 - Intensification/Reuse Only in Section 4.2 of the 2005 General Plan EIR, the plan area was included as one of a number of properties already designated for non-agricultural use under the previous Comprehensive Plan. During adoption of the 2005 Ventura General Plan and Housing Approval Program (HAP), the City Council considered the conversion of agricultural lands within the City's sphere of influence and determined that public benefits of the General Plan outweigh certain unavoidable adverse environmental effects, including the conversion of agricultural land. A Statement of Overriding Consideration was adopted. Therefore, the project would not have any significant impact to agricultural lands beyond that identified in a prior impact assessment and documented in the certified 2005 General Plan FEIR.

2. The project is not subject to a Williamson Act contract. The property is designated neighborhood low under the City's 2005 General Plan and the current County zoning designation is AE-40 (Agricultural Exclusive-40 acres). However, as discussed above, implementation of the proposed specific plan would convert the entire 66.7-acre plan area from its current use as row crop agriculture to a non-agriculture (residential) use. The 2005 General Plan FEIR identified the plan area as Prime Farmland, as defined by the U.S. Soil Conservation Service Important Farmlands Inventory system, and identified the conversion of Prime Farmland into non-agricultural use as a significant impact. However, under Scenario 1 - Intensification/Reuse Only in Section 4.2 of the 2005 General Plan EIR, the plan area was included as one of a number of properties already designated for non-agricultural use under the previous Comprehensive Plan. During adoption of the 2005 Ventura General Plan and Housing Approval Program (HAP), the City Council considered the conversion of agricultural lands within the City's sphere of influence and determined that public benefits of the General Plan

outweigh certain unavoidable adverse environmental effects, including the conversion of agricultural land. A Statement of Overriding Consideration was adopted. Therefore, the project would not have any significant impact to agricultural lands beyond that identified in a prior impact assessment and documented in the certified 2005 General Plan FEIR. Therefore, although the specific plan would change the designation of the property from AE-40 to SP-6, the change was planned for in the 2005 General Plan Update and no additional significant impacts would occur.

3. See discussion above under item B.1.

Mitigation/Residual Impact(s): Based on the above discussion, the specific plan would have a less than significant impact with regard to Agricultural Resources. Therefore, no mitigation measures are required.

C. Air Quality:

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Threshold of significance: greater than 25 pounds per day?	_____	_____X_____	_____	_____
a. Threshold of significance: 25 lbs per day				
b. Analysis Year: 2010				
c. Land Use Category: Residential, Mixed Use				
d. ROC per day: 66.42 lb/day				
e. NOx per day: 49.72 lb/day				
b) Would the project create objectionable odors affecting a substantial number of people?	_____	_____	_____	_____X_____
c) Would the project expose sensitive receptors to substantial pollutant concentrations?	_____	_____	_____	_____X_____

Impact Discussion:

1. The proposed specific plan has the potential to exceed VCAPCD thresholds. This topic is potentially significant unless mitigated and will be further explored and discussed in the EIR.
2. The proposed specific plan would accommodate up to 499 residential units with supporting service community space and infrastructure. The proposed residential development would not generate objectionable odors affecting a substantial amount of

people. Elimination of agricultural use on the property is likely to reduce offensive odors associated with the application of fertilizers and soil amendments. This could be considered a beneficial effect.

- Specific plan implementation would convert the plan area from its current agricultural use to residential use. Thus, no additional fertilizer and pesticide applications would occur adjacent the existing residences to the west, north, and south. The project could, therefore, have a beneficial effect with respect to reducing substantial pollutant concentrations for existing sensitive receptors. In addition, the neighborhood use proposed would not be anticipated to generate any substantial pollutant concentrations. At buildout, the specific plan would generate approximately 5,000 average daily trips; nevertheless, all study area intersections are forecast to operate at level of service (LOS) C or better at buildout. Because hotspots typically occur only at highly congested intersections (LOS E or F), specific plan buildout would not generate CO hotspot impacts that could be adverse to sensitive receptors at study area intersections.

D. Biological Resources:

Would the proposal result in:	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Potentially Significant Less Than Significant Impact</u>	<u>No Impact</u>
1. A loss or disturbance to, or reduction in the numbers of, or a restriction in the range of, or any other impact to any unique, rare, threatened, or endangered species of animals, or plants, or their critical habitat?	_____	_____X_____	_____	_____
2. A loss or disturbance to, or reduction in the numbers or diversity of, or restriction in the range of any other species of animals or plants or their habitat?	_____	_____	_____X_____	_____
3. A reduction in the extent, diversity, or quality of native or non-native vegetation (including brush removal for flood control improvements)?	_____	_____X_____	_____	_____
4. Impacts to historically designated species (e.g., heritage trees) or locally designated	_____	_____X_____	_____	_____

natural communities (e.g., Sensitive Habitat)?

5. The loss of other healthy specimen trees? _____ X _____
6. Introduction of any factors (light, fencing, noise, human presence and/or domestic animals) which could hinder the normal activities of wildlife or cause a deterioration of their habitat? _____ X _____
7. Impacts to wetland or riparian habitat? _____ X _____

Impact Discussion:

1. The plan area contains approximately 1,660 linear feet of natural riparian habitat (Brown Barranca) surrounded by agricultural fields. The portion of the Brown Barranca on the project site contains two existing storm drain system discharge points; one located at the south side of the Telegraph Road culvert and the other located at the west side of Wells Road opposite of Carlos Road. The discharge of these storm drains comes from the urban and irrigation runoff from the residential and agricultural properties to the north and west of the project site. Findings of the Biology Impact Study indicate that although Brown Barranca is a riparian habitat, there is low potential for special-status aquatic species due to the intermittent flow regime and presence of instream barriers (concrete lined channel for portions of the barranca downstream of the Specific Plan area, and at least two low-flow channel waterfalls with heights of at least three feet within the Specific Plan area). Thus, although climate and Brown Barranca's connectivity to the Santa Clara River indicate there is potential for southern steelhead, Santa Ana sucker, arroyo chub, southwestern pond turtle, and two-striped garter snake, an analysis of the plan area habitat and conditions immediately downstream indicate that the likelihood of occurrence for these water dependent species is none to low.

The findings of the Biology Impact Study indicate that temporary riparian habitat loss during construction could have a temporary adverse effect on special status species, including Cooper's Hawk, yellow warbler, and yellow-breasted chat if these individuals were to utilize the riparian habitat for foraging during construction and before revegetation has reached maturity. However, no evidence of these individuals was observed during field visits and the probability of utilization is categorized as low to moderate because the habitat is isolated, fragmented and lacks upland foraging areas.

There is potential for the San Diego mountain kingsnake to occur within the plan area; however, the likelihood of occurrence was classified as none to low due to an inadequate prey base. These snakes are dependant on lizards other snakes and bird eggs for prey, but the active agricultural row cropping associated with upland areas of the plan area reduces the habitat suitability for kingsnake prey and thus for San Diego mountain kingsnake.

With respect to plants, the only special status species present is southern California black walnut, but the grouping of these trees would not be adversely affected by project construction because it is within the area proposed for preservation.

The potential for special status species will be further explored and discussed in the EIR.

2. See item 1 above.
3. Development under the proposed Specific Plan would involve the removal of riparian and wetland vegetation. The plan area currently supports 4.14 acres of riparian habitat classified as California Department of Fish and Game wetlands (CDFG defines wetlands as synonymous with the limits of riparian vegetation) and approximately 0.11 acres of U.S. Army Corps of Engineers (Corps) defined wetlands. Temporary and permanent adverse effects to riparian and wetland habitat are characterized in Table 4.

**Table 4
Effects to Riparian and Wetland Habitat**

Type of Habitat	Acres Present	Areas Affected by Specific Plan	Total Acres Affected	Percent of Total
Riparian Vegetation (CDFG-Defined Wetlands)	4.11	Temporary – 0.86 acres removed by: <ul style="list-style-type: none"> • Culvert installation and other proposed improvements • Proposed footbridge over Brown Barranca Permanent – 0.77 acres removed by: <ul style="list-style-type: none"> • Extension of existing upstream arched culvert by 75 feet including aprons, headwall and rip rap • Culverting 725 linear feet downstream including aprons, headwall and rip rap • Roadways, bike path, and associated components 	1.63	40%
Corps-Defined Wetlands*	0.11	0.02 acres affected by box culvert aprons, headwall, and riprap plus 0.01 temporary construction	0.03	27%

Source: Padre and Associates, Biology Impact Study, April 2007.

Notes: Corps defined wetlands occur within the limits of CDFG defined wetlands; therefore, the total area affected is 1.63 acres.

Approximately 1.63 acres of riparian vegetation/CDFG wetlands would be disturbed, including 0.86 acres that would be disturbed by temporary construction activity and 0.77 acres that would be permanently removed. Approximately 0.03 acres of Corps

defined wetlands would be disturbed. Project development includes a riparian habitat preserve that would function to maintain existing habitat as well as support enhancement activities to mitigate for adverse effects. The preserve, includes maintenance of a natural bottom open channel with riparian vegetation extending from Telegraph Road southeast to the downstream triple box culvert inlet. The preserve would exclude public access through split rail fencing and barrier plantings.

The preserve area contains approximately 0.21 acres of non-native invasive species such as castor bean and eucalyptus, which are proposed for replacement with native species for enhancement and offset. Additionally, the project includes two other proposed native vegetation enhancement areas to offset adverse effects. A natural man-made channel is proposed overlying the downstream culvert installation and a detention basin/wetlands creation area is proposed in the southeastern portion of the plan area adjacent Blackburn Road. The project restoration areas are detailed in Table 5.

**Table 5
Proposed Riparian and Wetland Habitat Enhancements**

Type of Habitat	Acres Proposed	Total Acres Proposed
Riparian Vegetation CDFG Defined Wetlands	<ul style="list-style-type: none"> • 0.83 acres of riparian habitat creation above downstream culvert * • 0.21 replacement of invasive species with native riparian species within the preserve 	1.01
Detention Basin/Wetlands Creation	0.35	0.35
Total Habitat Creation		1.36

Source: Padre and Associates, Biology Impact Study, April 2007.

The Office of Katie O'Reilly Rogers, Exhibit 2, April 2007 (Figure 8 in Appendix A)

** The riparian habitat creation area includes approximately 300 feet of walkways that are 5 feet wide, which will be finished in decomposed granite or asphalt and would not contribute to mitigation area (Moule & Polyzoides, April 16, 2007). This amounts to 0.03 acre, which has been deducted from the total riparian habitat creation area of 0.83 acres as indicated on Figure 8 in Appendix A.*

Action 1.11 of the 2005 General Plan requires that sensitive wetland and coastal areas be preserved as undeveloped open space wherever feasible and that future developments result in no net loss of wetlands or “natural” coastal areas. CDFG defined wetlands include the limits of riparian vegetation, whereas the Corps designates wetlands based on the presence of hydrology, hydric soils indicators and wetland vegetation. Based on these two definitions, the project would have no net loss of wetlands pursuant to Corps designation criteria because 0.35 acres of wetland creation in the detention basin would offset the permanent impact of 0.02 acres for installation of the box culverts. However, evaluating pursuant to CDFG criteria, the project would result in a net loss of an estimated 0.27 acres of CDFG-defined wetlands. This impact would be significant, but mitigable and will be further discussed in the EIR.

4. Project development would not involve adverse effects to any historically designated

species. However, it would involve adverse effects to sensitive natural communities, including riparian habitat as discussed above under item 3, and wetlands as discussed under item 7. This will be further discussed in the EIR.

5. Excluding the area within the riparian corridor, there are a number of other mature non-native trees within the project area. These include eucalyptus, fan palm, avocado, citrus, and olive trees. However, these trees are non-native and are not well maintained, nor do they appear to be of substantial age. Therefore, they are not considered specimen trees. The impact with respect to removal of specimen trees would be less than significant.
6. Project development would introduce noise, lighting and domestic animals in areas adjacent to the Brown Barranca preserve. In addition, the proximity of residential development could allow for pedestrian access to the preserve, which has potential to degrade the quality of the habitat. Although no protected animal species were observed and the potential for occurrence is low to none, there is potential for disturbance to wildlife utilizing the habitat. Therefore, mitigation has been included to require fencing and signage for residents that would limit access and educate residents regarding the sensitive nature of the habitat. In addition, adverse effects to the habitat could occur if erosion and sedimentation were to occur as a result of work in and around Brown Barranca. This issue will be further discussed in the EIR.
7. Project development would involve removal of 1.60 acres of riparian habitat that is also classified as California Department of Fish and Game (CDFG)-defined wetlands (only one indicator necessary - hydric soils, hydrophytic vegetation or hydrology for CDFG designation), and 0.03 acres of U.S. Army Corps of Engineers-defined wetlands (hydric soils, hydrophytic vegetation and hydrologic indicators all necessary). The Corps delineated wetlands would be affected at the location of the culvert inlet and outlet on the north and south ends of the proposed preserve. Temporary effects to an additional 0.01 acre of Corps defined wetlands would also occur during construction; however, this area adjacent the culvert inlet structure would be revegetated upon completion of construction activities.

The applicant proposes creation of 1.36 acres of wetland/riparian habitat, of which 0.35 acres is anticipated to qualify for Corps criteria due to specialized maintenance practices within the detention basin. Thus, the specific plan would result in no net loss of wetlands pursuant to Corps designation criteria, and would maintain the majority of the riparian habitat present within the plan area. Of this area, Brown Barranca Preserve would contain 2.54 acres of habitat, while the downstream restoration area would include 0.80 acres of man-made channel enhanced with riparian vegetation and the detention basin would potentially contain up to 0.35 acres of wetland vegetation. Nevertheless, the impact would be significant if the additional 0.27 acres of riparian habitat were not restored, and if revegetation efforts were not successful. This issue will be further discussed in the EIR.

Mitigation/Residual Impact(s): Based on the above discussion, specific plan implementation would result in potentially adverse effects to wildlife, riparian habitat and wetland habitat. Incorporation of mitigation measures is required and will be discussed and applied in the EIR.

E. Cultural Resources:

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
Would the project:				
1. Cause a substantial adverse change in, or destroy or disturb important significant or unique historical, archeological or paleontological resources, including human remains interred outside formal cemeteries?	_____	_____X_____	_____	_____
2. Affect existing religious or sacred uses within the project area?	_____	_____	_____	_____X_____

Impact Discussion:

A Phase I Archaeological Survey (Conejo Archaeological Consultants, June 2006) was prepared for the plan area that involved a record search, field survey, and review of historical aerial photographs. The proposed project's effect on cultural resources was analyzed per the findings of this report. The report is included in Appendix D of the EIR.

1. Per the Phase I Archaeological Survey, no evidence of sensitive archaeological or historic resources was found within the plan area. Furthermore, it is unlikely that buried cultural resources are present within the plan area since the area has been highly disturbed by past and ongoing agricultural activity. However, it is possible that as yet undetected cultural resources are present. Therefore, impacts are considered potentially significant and this issue will be further discussed in the EIR.
2. The proposed project is not located in proximity to existing religious or sacred uses. As such, specific plan implementation would have no impact with regard to such uses.

Mitigation/Residual Impact(s): Mitigation will be applied in the EIR and residual impacts are not anticipated.

F. Energy and Mineral Resources:

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
Would the project:				

- | | | | | |
|---|-------|-------|-------|--------|
| 1. Result in the loss of availability of known mineral resource value to the region? | _____ | _____ | _____ | _____ |
| 2. Result in the loss of availability of locally important designated mineral resource recovery site? | _____ | _____ | _____ | _____X |

Impact Discussion:

- 1 The 2005 General Plan FEIR indicates no known mineral resources within the plan area. No impact would occur.
- 2 The 2005 General Plan FEIR does not identify the plan area as a designated mineral resource recovery site. No impact would occur.

Mitigation/Residual Impact(s): Based on the above discussion, the specific plan would have no impact with regard to this issue area. As such, no mitigation measures are required. This issue will not be discussed in the EIR.

G. Geophysical:

- | | <u>Potentially Significant Impact</u> | <u>Potentially Significant Unless Mitigated</u> | <u>Less Than Significant Impact</u> | <u>No Significant Impact</u> |
|---|---------------------------------------|---|-------------------------------------|------------------------------|
| 1. Is the project in proximity to a known or conjectured fault? | _____ | _____ | _____ | _____X |
| 2. Would the project result in or expose people or structures to potential impacts involving: | | | | |
| a. Strong seismic ground shaking? | _____ | _____ | _____X | _____ |
| b. Seismic related liquefaction or other ground failure? | _____ | _____ | _____X | _____ |
| c. Subsidence/landslide? | _____ | _____ | _____ | _____X |
| d. Tsunami or seiche? | _____ | _____ | _____ | _____X |
| e. Expansive Soils? | _____ | _____ | _____X | _____ |
| 3. Substantial grading or change in natural features, topography or other ground surface relief features? | _____ | _____X | _____ | _____ |
| 4. Destruction, covering or modification of any unique geologic or physical features? | _____ | _____X | _____ | _____ |

- | | | | | |
|--|-------|----------------|-------|----------------|
| 5. Removal or disturbance of beach sands? | _____ | _____ | _____ | _____ <u>X</u> |
| 6. Siltation, deposition or erosion which may modify the channel of a river or a stream or the bed of the ocean? | _____ | _____ <u>X</u> | _____ | _____ |

Impact Discussion:

This section of the analysis was prepared based on the findings contained in a Geotechnical Engineering Report prepared for the project by Earth Systems Southern California (October 2005).

1. No known faults cross the plan area, and the plan area does not lie within a State of California designated fault hazard zone (State of California Alquist-Priolo Earthquake Fault Zones: Saticoy Quadrangle, 2003). The closest fault is the Country Club fault, located approximately 0.75 miles southwest of the plan area (Ventura General Plan FEIR, 2005)). Other faults in close proximity to the plan area are the Ventura-Foothill fault, the Oak Ridge fault, and the McGrath fault. These local faults are classified as active or potentially active. Potentially significant adverse impacts would occur if structures were proposed for construction overlying a fault due to the potential for surface rupture. However, since no faults are located within the boundaries of the plan area, there would be no impact.

2. a) Like most of Southern California the proximity of active faults is such that the plan area has experienced and will continue to experience strong seismically induced ground motion. However, implementation of standard development project conditions imposed under the requirements of the Uniform Building Code and California Building Code assure that specific plan implementation would have a less than significant impact for this issue area. In order to receive building permits, the applicant would submit a site-specific soils and geotechnical engineering report by a qualified expert providing a description of subsurface conditions and recommendations for site development in accordance with Uniform Building Code and California Building Code requirements. As such, the design and construction of new structures would be engineered to withstand the expected ground acceleration and seismic shaking that may occur within the plan area. Therefore, impacts would be less than significant.

- b) Liquefaction typically occurs in areas where the groundwater is less than 30 feet from the surface and where the soils are composed of poorly consolidated fine to medium sand. According to the geotechnical study prepared for the proposed project, groundwater was found under the plan area at variable depths. Groundwater depths range from 3.5 feet below the ground surface in the central portion of the plan area, to about 10 feet in the southern area, to about 14 feet in the north-central part of the plan area, to more than 50 feet near the northern plan area boundary. These groundwater measurements, along with soil textural analyses, indicate a potential for liquefaction in the central and north-central portions of the plan area.

As noted above, in addition to new construction being required to comply with California Building Code requirements, a standard project condition requires the

preparation of a soils and geology investigation by a qualified expert to identify any site preparation or engineering design recommendations for site development that further ensure potential adverse effects from liquefaction hazards are less than significant. A report has been prepared for this project, which will be reviewed by the City Building Official/Fire Marshal. The recommendations of this report would establish required compliance measures. The building official may require that special provisions be made in foundation design and construction for the high-risk structures. Implementation of this standard development project condition would reduce risk due to liquefaction to a less than significant level and no mitigation measures are required.

c-d) The plan area and surrounding area slope gently toward the north, but are relatively flat and thus not subject to landslide hazards (Field Visit, Rincon Consultants, May 2006). In addition, the plan area is not located within a designated landslide hazard zone or in an area where tsunamis or seiches occur (Ventura General Plan EIR, 2005). Thus, there would be no impact from these hazards.

e) According to the 2005 General Plan FEIR, the plan area is in a “moderate” expansive soil zone. The geotechnical report indicates that the soils located at approximate bearing depths are in the “medium” to “high” expansion ranges, as defined by the CBC. However, according to the geotechnical report, soils are expected to be in the “medium” range after blending during grading. Impacts associated with expansive soils would be less than significant with incorporation of the recommendations contained in the geotechnical report, which will be required as standard conditions of approval. Thus, the impact with respect to expansive soils is less than significant.

3. The plan area is generally flat, sloping gently to the north. Grading activities facilitated by the proposed specific plan would involve relatively small cut and fill slopes for the building pads of the proposed structures. These cut and fill slopes are not expected to exceed 10 feet in height, and would not be steeper than 2:1 (Earth Systems Southern California, 2005). Retaining walls of approximately five feet in height may be utilized. Normal grading equipment is expected to be adequate for cuts. Brown Barranca traverses the eastern portion of the property from northwest to southeast. The project includes the installation of a culvert that spans approximately 525 linear feet (thus enclosing approximately 725 linear feet of creek) at the south end of the barranca and rip rap expansion along 65 feet of the northern end of the barranca. The proposed culvert installation would require work in parts of the barranca and backfilling along the southern 725 feet of the barranca. Adverse effects to water quality could occur if project construction were to allow sediment to enter flowing water that would be transported downstream, thus potentially degrading water quality downstream. This is considered a potentially significant but mitigable effect (see discussion under mitigation below).
4. See discussion above under Item 3.
5. Specific plan implementation would not involve the removal or disturbance of beach sands. There would be no impact.
6. Brown Barranca intersects a portion of the plan area, as discussed under item 3. The

project includes modifications to Brown Barranca; however, the potential adverse effects from grading and earth movement are limited to deposition of sediment within the water course. This is a potentially significant but mitigable impact. Please refer to discussion under item 3 above.

Mitigation/Residual Impact(s): Following construction activities and prior to vegetation establishment, there is potential for recently disturbed soil to enter the creek. However implementation of mitigation measure **BIO-3/GEO-1** would ensure that erosion control measures are implemented, which reduces the potential for adverse effects to a level that is less than significant. This mitigation measure is carried forward to the EIR as mitigation measure BIO-3(a). The topic of Geology and Soils will not be further discussed in the EIR.

BIO-3/GEO-1 Proper Erosion Control Device Installation. The applicant shall install erosion control devices in areas that have the potential to drain to Brown Barranca throughout the construction duration and prior to vegetation establishment. These devices should include silt fencing, sandbags, straw wattles, and/or straw bales.

H. Hazards:

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
Would the proposal:				
1. Create a significant hazard to the public or the environment through use of, potential release of, or routine transport of hazardous materials; risk of upset or accidental explosion, or other potential health or safety hazards?	_____	_____X_____	_____	_____
2. Be located in or adjacent to a fire hazard area with flammable grass, brush or trees?	_____	_____	_____	_____X_____

Impact Discussion:

This section was prepared based on the investigation and conclusions of a Phase I and II Environmental Site Assessment (ESA) Reports prepared for the proposed project by Earth Systems Southern California (November 2005) and Earthsystems Southwest (November 2006). The findings of the reports were also peer reviewed by Rincon Consultants, Inc. during preparation of the environmental document. The reports are on file and available for review at the City of Ventura Community Development Department.

1. The proposed project involves the development of 499 residential units and a community center. Specific plan implementation would not involve the transport, use or disposal of hazardous materials, thus there is no potential for adverse effects from transport, use or disposal of hazardous materials. However, the plan area would involve development on lands currently and historically used for agricultural production. The Phase II ESA identified potential hazards associated with contaminated soil due to former use of organochlorine pesticides (TDE), asbestos-cement debris likely from subsurface irrigation systems, and an underground storage tank. The impact is potentially significant unless mitigated and will be further discussed and explored in the EIR.
2. The plan area is not located within or adjacent to an identified wildland fire hazard zone, nor is it located adjacent to a flammable grass, brush, or tree area. There would be no impact with respect to location in a fire hazard area.

Mitigation/Residual Impact(s): Based on the above, specific plan implementation would require mitigation to reduce the potential for health hazards to humans and risk of upset to levels that are less than significant. These mitigation measures will be applied in the EIR.

I. Land Use/City and Regional Plans.

Would the project be consistent with the following (if applicable):	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
1. City's General Plan?	_____	_____	_X_	_____
2. Existing zoning?	_____	_____	_X_	_____
3. Industrial Performance Standards?	_____	_____	_____	_X_
4. Hillside Management Program?	_____	_____	_____	_X_
5. An adopted Specific Plan?	_____	_____	_X_	_____
6. County or Regional Plans (North Avenue Plan, Saticoy Plan, etc.)?	_____	_____	_____	_X_

Impact Discussion:

1. The 2005 General Plan designates the plan area as "Residential Low" (0-8 dwelling units/acre). The plan area encompasses approximately 67 acres; therefore, the Residential Low designation would allow a maximum of 538 dwelling units. The

project involves the development of 499 dwelling units and a community center.

The applicant is proposing a specific plan and proposes to rezone the property to T-3.1, T3.2 and T4.6, consistent with the intent of the original zoning for residential development. The proposed specific plan is consistent with the intent of the 2005 General Plan to maximize development in areas of the City where infill is possible, prioritizing infill development. Although a portion of the plan area would need to be annexed into the City, the unincorporated areas of the project constitute an “island” surrounded by City jurisdiction. Provided that the requested zone change is approved, the specific plan would be consistent with City zoning, and the development code contained in the proposed Parklands City of San Buenaventura Specific Plan would supersede current Zoning Code requirements.

The plan area is included within the boundaries of the Wells Saticoy Community Plan work efforts. This Plan is currently in draft form and the Specific Plan has been undertaken concurrently but has been designed consistent with the draft Wells Saticoy Community Plan. However, it should be noted that at this time, the Community Plan is a draft document that has no legal weight. If the Parklands Specific Plan is adopted in advance of the Community Plan, the final Community Plan will need to consider and be consistent with the Specific Plan.

The proposed Parklands Specific Plan is consistent with the vision of the 2005 General Plan as the Parklands project would create an urban infill neighborhood with a variety of housing types, walkable streets interconnected with the existing neighborhoods, enhancement and preservation of Brown Barranca. In addition, the project would create a mixed use area east of Brown Barranca adjacent Wells Road at Telegraph Road incorporating commercial and live work uses within the Wells Corridor.

The specific plan area is considered under “Sphere of Influence/Other Infill/Neighborhood Centers” in the predicted development intensity & pattern table in the 2005 General Plan (Table 3-2 in the “Our Well Planned Community” chapter). A total of 1,050 residences is predicted for the Wells/Saticoy area. Current pending applications for the Saticoy Wells Area include 908 residential units (Saticoy Wells Housing Buildout, 9/2005). Thus, the 499 units accommodated under the proposed specific plan would bring the total to 1,407 units. Therefore, with this project, planned and pending development within the Saticoy Wells area exceeds the number of predicted residences by 357 residential units. However, the predictions of future development in the 2005 General Plan are not development caps, either citywide or for specific areas of the City. Rather, they were merely estimates of future development used for analytical purposes. Furthermore, development predictions of the 2005 General Plan included 8,300 residential units through 2025, and the addition of 499 residential units would not exceed the total development projections for the City through 2025.

Because the project is consistent with the 2005 General Plan, the project’s impact with respect to land use and zoning is considered less than significant.

2. See discussion under I-1 above.

3. The project does not involve an industrial component; therefore, the City's industrial performance standards do not apply. There would be no impact with respect to industrial performance standards.
4. The proposed project is not located within the boundaries of the Hillside Planning Area and, therefore, is not subject to the City's Hillside Management Program. There would be no impact with respect to the City's Hillside Management Program.
5. The proposed project involves development under a proposed new specific plan, which would guide development according to the Development Code contained within the specific plan. The specific plan has been designed in accordance with relevant guidance documents including the 2005 General Plan and infrastructure analyses conducted for the Wells and Saticoy planning area. The Development Code shall be administered by: the Ventura City Council, Planning Commission, Community Development Director, and Community Development Department. These bodies are also individually and collectively referred to in the Development Code as the "review authority." Each of these City authorities is involved in reviewing and approving the Development Code. The final determination for consistency will rest with the review authority, but the project appears to implement the visions contained in the 2005 General Plan and thus appears to be consistent with relevant planning and policy.
6. The eastern portion of the plan area adjacent Wells Road is currently designated as within the Wells Corridor. This area is currently in agricultural production and is composed of two separate parcels. These two parcels are currently within the City limits, and the western boundary of parcel 089-0-012-020 forms both the city boundary and the Wells corridor western boundary. The portions of the plan area west of this boundary are not currently within the City limits; however, they are within the City Sphere of Influence and following annexation of these parcels, the City boundary would be amended to include the entire plan area, and the Wells Corridor boundary would be extended such that the western corridor boundary would align with Brown Barranca. A significant adverse effect with respect to land use planning could occur if the proposed specific plan were to conflict with goals/policies applicable to the Wells Corridor, or the draft Wells-Saticoy Community Plan, which is currently under development. The 2005 Ventura General Plan offers the following definition of a corridor.

Corridors often form boundaries, as well as connections, between neighborhoods and/or districts. Corridors frequently encompass major access routes, especially ones with commercial destinations. Corridors also can incorporate parks or natural features such as streams or canyons.

The 2005 General Plan further characterizes the Wells Road corridor as "a mix of older industrial uses and newer sub-urban commercial and residential development". There are no particular guidelines for development within the Wells Road corridor exclusively; however, the following policies and actions are applicable to corridors in general and a discussion of specific plan consistency follows.

Action 3.2: Enhance the appearance of districts, corridors, and gateways (including views from highways) through controls on building placement, design elements, and signage.

This specific plan would organize development within the northeastern corner of the plan area (between Brown Barranca and Wells Road) to be a neighborhood center, focusing on mixed use, live work and multi-family residential. Connectivity to the east side of Wells Road would involve pedestrian and vehicular crossings at Wells and Telegraph (signalized), and Wells and Citrus Drive (signalized), and Wells and Carlos Street (stop sign controlled). Neighborhoods west of Brown Barranca would be directly accessible to pedestrians on a bridge over the barranca. For vehicular connectivity, access would be limited to Telegraph and Wells Roads.

Action 3.24: Revise the Residential Growth Management Program (RGMP) with an integrated set of growth management tools including:

- Community or specific plans and development codes based on availability of infrastructure and transit that regulate community form and character by directing new residential development to appropriate locations and in ways that integrate with and enhance existing neighborhoods, districts and corridors;*
- Appropriate mechanisms to ensure that new residential development produces high-quality designs and a range of housing types across all income levels; and,*
- Numeric limitations linked to the implementation of community or specific plans and development codes and the availability of appropriate infrastructure and resources; within those limitations, the RGMP should provide greater flexibility for timing new residential development.*

Since adoption of the 2005 General Plan Update, the RGMP was replaced with the Housing Approval Program (HAP). The HAP is the result of implementation of Action 3.24 through City Council resolution 2006-057, effective September 7, 2006. The HAP is intended to guide development within the City pursuant to the growth management tools identified above. Under the HAP, projects on more than 20 acres require a Specific Plan. Because the acreage proposed by the applicant is approximately 66.7 acres, the proposed project includes the Parklands Specific Plan, thus formulating the basis of analysis for this mitigated negative declaration. Therefore, because the proposed project involves development of a Specific Plan that would guide the development of up to 499 residential units, the project complies with the HAP.

Action 3.25: Establish first priority growth areas to include the districts, corridors, and neighborhood centers as identified on the General Plan Diagram; and second priority areas to include vacant undeveloped land when a community plan has been prepared for

such (within the City limits).

The proposed project would involve development in the Wells Corridor area and within a vacant undeveloped area for which a community plan is being prepared. Development under this specific plan appears to be consistent with the first priority growth action.

Mitigation/Residual Impacts: Based on the above discussion, specific plan implementation would have a less than significant impact with regard to the Land Use/City and Regional Plans issue area provided that the Specific Plan is approved, annexation is approved, and necessary permits are granted. As such, no mitigation measures are required.

J. Noise:

Would the project result in:	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
1. A substantial temporary, periodic or permanent increase in ambient noise level?	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
2. Exposure of people to noise levels in excess of the established standards?	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
3. Exposure of people to excessive ground borne vibration or noise levels?	<u> </u>	<u> </u>	<u> X </u>	<u> </u>

Impact Discussion:

This section was prepared based on the analysis and conclusions contained in the Noise Impact Study prepared for the project by Padre Associates, Inc. (April 2007). The findings of the report were also peer reviewed by Rincon Consultants, Inc. during preparation of the environmental document. A Noise Barrier Analysis was also conducted for the project and both of these studies are included in EIR appendix G.

The City of Ventura 2005 General Plan sets the interior noise standard for habitable rooms of new residences at 45 dBA CNEL (Policy 7E, Action 7.32). The exterior level for usable outdoor recreation space (patios, gardens, etc.) of both new single and multi-family residential structures is 65 dBA CNEL (Policy 7E, Action 7.32). The noise analysis is primarily concerned with outside noise levels estimated to occur within the project's designated outdoor recreations spaces in the backyard of the residences (65

dBA CNEL criteria).

The plan area is abutted by single family residential on the south, west, and across Telegraph Road to the North. Other sensitive receptors in the vicinity include a senior assisted living complex north of the plan area adjacent the northern boundary of Telegraph Road at Wells Road, and a private school across Wells Road to the east of the plan area. Noise sources in the vicinity of the plan area are primarily generated by cars on adjacent roadways. The plan area is bordered by three heavily traveled roadways including SR 126, Telegraph Road, and Wells Road. Existing noise levels in the vicinity of the plan area were measured for the Noise Impact Study and are shown in Table 6.

Potentially significant effects to existing sensitive receptors from project-generated noise could occur if temporary noise were to exceed standards provided for in the above mentioned General Plan Policy 7E, Action 7.32, or if project-generated traffic were projected to cause an exceedance of the 1.5 dBA threshold (applicable for existing ambient noise levels exceeding 65 dBA CNEL) indicated in the 2005 General Plan FEIR.

1. Traffic increases along SR 126 opposite the plan area have the potential to increase noise in the vicinity of the project. This is a potentially significant impact that will be further discussed in the EIR.
2. Existing noise levels in the vicinity of the plan area range from 67 to 74 dBA. Single and multi-family residential development is “conditionally acceptable” when ambient noise levels range from 60 to 70 dBA (“conditionally acceptable” means that the development type is generally acceptable if standard noise control techniques are implemented). The majority of the plan area falls within this category; however, residences proposed adjacent the southern project boundary and SR 126 could be exposed to ambient noise levels in excess of 70 dBA, which is categorized as “normally unacceptable.” The impact is potentially significant and will be further explored and discussed in the EIR.
3. Specific plan implementation would not generate excessive ground borne vibration or noise. The primary vibration source generally associated with the development of buildings results from the use of equipment utilized during construction of foundations.

Mitigation/Residual Impacts: Based on the above discussion, Noise exposure will be further analyzed and discussed in the EIR.

K. Population and Housing:

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Significant Impact
--------------------------------	--	------------------------------	-----------------------

Would the project:

- | | | | | |
|--|-------|-------|-------|----------------|
| 1. Induce substantial growth or concentration of population? | _____ | _____ | _____ | _____ <u>X</u> |
| 2. Displace existing housing, especially affordable housing? | _____ | _____ | _____ | _____ <u>X</u> |

Impact Discussion:

1. A proposed project will have a significant impact to population and housing if implementation would cumulatively exceed official regional or local population projections; induce substantial growth in an area either directly or indirectly; or displace existing housing, especially affordable housing. The City of Ventura is located within the regional planning area of the Southern California Association of Governments (SCAG), and Ventura Local Planning area of the Ventura Air Pollution Control District. SCAG's Regional Transportation Plan establishes adopted growth forecasts for local jurisdictions within the Southern California region. The Ventura County AQMP relies on the most recent population estimates developed by the Metropolitan Planning Organization (MPO). SCAG acts as the MPO for Ventura County. According to SCAG's 2008 Regional Transportation Plan (RTP) population forecasts, the projected 2010 population for the City of Ventura is 112,044. For the purposes of this analysis, it is presumed that the construction of 499 residential units would be completed in 2010. Based on the current average household size in the City (2.6 persons/ household), this number of units would generate 1,297 new residents. When added to the current population of 108,261 (California Department of Finance, 2008), this would bring the overall population to 109,558. This is well within the projected citywide population of 112,044 for 2010. Therefore, development of the 499 residences would not in itself generate population exceeding regional forecasts.

In addition, although the proposed project includes 499 residences, this growth is planned for under the 2005 General Plan and the project fulfills goals and objectives of the plan. Specific plan implementation would not displace substantial housing, or affordable housing. The proposed project contains one existing house, which is a caretaker's unit for the existing agricultural operation that would be displaced by the proposed development. However, the specific plan would accommodate the development of up to 499 housing units, of which approximately 173 would be multi-family units and 48 would be triplex and quadplex units. Therefore, adverse impacts associated with loss of housing are not anticipated and the project's effect on population and housing is less than significant. Refer to discussion under Section I.1 for additional discussion regarding housing density and consistency with the 2005 General Plan. 2. See discussion under Item 1 above.

Mitigation/Residual Impact(s): Given the above, specific plan implementation would have no impact with regard to the Population and Housing issue area. As such, no mitigation measures are required.

L. Public Services:

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Significant Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1. Fire protection?	_____	_____	<u> X </u>	_____
2. Police protection?	_____	_____	<u> X </u>	_____
3. Schools?	_____	_____	<u> X </u>	_____
4. Neighborhood or regional parks or other recreational facilities?	_____	_____	<u> X </u>	_____
5. Other public services?	_____	_____	_____	<u> X </u>

Impact Discussion:

1. The Ventura Fire Department (VFD) provides fire protection service for the City. VFD's Fire Suppression Division provides direct responses to fire, emergency medical, hazardous material, hazardous conditions and public service incidents from a total of six fire stations. All fire-fighting personnel are also certified medical technicians. The VFD maintains a countywide mutual aid agreement with all fire protection agencies within Ventura County. This agreement has been arranged between the VFD and other fire agencies to facilitate response to large isolated incidents such as earthquake and wild fires, and does not include daily operations under normal conditions.

The plan area is located within a zone designated as a three-minute response time for Fire Station Number 6. The VFD maintains a standard fire flow requirement for general categories of development. The water system infrastructure analysis for the proposed project states that the 430 zone water system will serve the plan area. At the time of the infrastructure analysis in 2005, the 430 zone was deficient in water storage and distribution for extreme fire flow conditions. These deficiencies were enumerated in the "Capital Improvement Deficiency Study" prepared for the Wells and

Saticoy Communities. Improvements necessary to alleviate the deficiency included new reservoir storage, distribution pipelines and a new well site (Saticoy Well # 3). City Staff have indicated that a 24" diameter transmission line and two 2 MG reservoirs were recently constructed as a Capital Improvement Project (City of Ventura Public Works, 2/29/2008). DTR Engineering completed a Fire Flow Study dated July 24, 2007 which indicates that adequate fireflow exists to serve the project.

Saticoy Well # 3 is planned to serve additional growth in the vicinity of the specific plan area, including development of the Parklands project, but would not be undertaken until the City identified the need to bring it online. Thus, although the Saticoy Well #3 is not yet constructed, the City is planning the construction of that well regardless of whether the Parklands Specific Plan is implemented. In addition, the proposed Specific Plan indicates that all development and land use proposals would be reviewed by the City so that the appropriate requirements are applied. Any additional specific requirements for the proposed project, and any improvements in the water supply system necessary to meet those requirements, would be verified by the City and completed and tested by the developer prior to occupancy of any unit or commercial building as proposed (Memo, City of Ventura Public Works, 8/9/2007).

Development accommodated under the specific plan would be required to conform to the most recently adopted California Building Code (CBC) and California Fire Code (CFC). Fire safety features such as sprinklers would be provided in accordance with these codes. Access points for the specific plan would be reviewed and approved by the City, and would also be required to conform to the CBC and CFC. The proposed water system supply for the Parklands project would include the following improvements:

- A new 12" main is required in Wells Road from Telegraph Road south along Wells Road following the alignment of the existing 6-inch pipeline (within City right-of-way) to the existing 24-inch pipeline near the intersection of Citrus Drive and Wells Road. Once the proposed 12-inch pipeline is complete the existing services from the 6-inch pipeline must be connected to the 12-inch pipeline and the 6-inch pipeline abandoned.
- Install a 12" main from Telegraph Road to Wells Road beneath the proposed Nevada Avenue.
- Extend a 12" main westerly within proposed "D" road and connect to the existing 8-inch water main in Linden Road.
- All interior streets to be served by looping 8" water lines tied to the new 12" mains as part of Phase I. No dead end water mains are allowed.

Estimated peak project domestic water demand was calculated for the proposed project based on 173 multi-family units and 326 single family units, utilizing the fixture units and demand/fixture unit as per the Uniform Plumbing Code. The project would result in a peak demand of 2,096 gallons per minute. With the increased water storage and distribution pipeline provided through the projects that are currently under construction, fire flow will be satisfactory to serve the proposed project (DTR

Engineering Fire Flow Study dated July 24, 2007).

With incorporation of the applicable standard fire and building code requirements, specific plan implementation would have a less than significant impact with regard to the fire protection issue area.

2. The Ventura Police Department (VPD) provides law enforcement and police protection within the City of Ventura. Currently the VPD employs 134 officers (Karen Heath, pers comm., 2008) and based on 2008 Department of Finance population forecasts, has a staffing ratio of 1.24 officers per 1,000 residents. The 2005 General Plan includes policies to improve community safety through enhanced police service. Action 7.15 specifically provides for increased staffing as necessary to serve the community, in addition to increasing community participation and researching funding options for police services.

The plan area is located within Beat 3, which spans the area east of Mills Road to the east and north of the CA-126. Beat 3 had 18,543 calls for service in 2007. The closest police station is located approximately 4.7 miles from the project site at 1425 Dowell Drive. The VPD response time objectives for priority one calls (e.g. – “in progress,” or injury traffic collisions) is approximately 5 minutes or less, while non-emergency service response times average 15-20 minutes.

The proposed project, as does all new development, would increase the statistical probability of the occurrence of criminal incidents, and an increase in traffic-related calls for service. Based on the City’s average of 2.55 residents per residential unit, specific plan buildout would add 472 residents within Beat 3. This increase would incrementally reduce the existing ratio of police officers to 1,000 residents to 1.23 without a change in personnel levels. However, it would not create the need for new VPD facilities and therefore would not cause physical environmental effects associated with provision of police protection service. Thus, the project’s effect to police protection would be less than significant.

3. Based student generation rates contained in the 2005 General Plan, development of 499 residential units would generate 110 elementary age students (0.22 elementary school students per unit), 45 middle school students (0.09 middle school students per unit), and 55 high school students (0.11 high school students per unit). The Ventura Unified School District (VUSD) provides public educational services throughout the Ventura planning area. District schools are organized as kindergarten through fifth grade elementary schools, sixth through eighth grade middle schools, and ninth through twelfth grade high schools. The District has divided the City into four geographic attendance areas to direct a student’s progression from elementary to high school: West Side, Midtown, Montalvo, and East End. The plan area is located within the East End area of the school district. All elementary schools except one serve a specific attendance area of one or more neighborhoods; the exception is Mound School, which is a District-wide math magnet school.

Based on geographic location, students within the plan area would attend Saticoy Elementary, which is operating at 85% capacity based on a 2007-2008 enrollment of 396 students (California Department of Education, 2008). The addition of 110

students at this school would exceed the 466-student capacity by 46 students and result in operation at 115% of capacity. The addition of 45 middle school students would bring enrollment at Balboa Middle School to 1,413 students (closest school to the project area), and operation at 89% of that school's 1,582-student capacity. However, one of the goals in the VUSD master plan is the construction of a new middle school in the Wells Road area, and once constructed, this facility would serve students within the plan area.

The VUSD manages three non-continuation high schools in Ventura. Enrollment for the 2008 school year was 5,331 students for the three high schools, or 95% of total capacity (5,586 students). Foothill Technology High School, which opened in 2001 to emphasize development of technology and health related skills, has eased crowding at Buena and Ventura High Schools. The addition of 55 high school students would bring high school enrollment to approximately 96% of capacity.

In addition, the VUSD offers several special programs. Pacific Continuation High School occupies a former elementary school in central Ventura at 501 College Drive. Pacific Continuation had a 2008 school year enrollment of 223 students, or 79% of its 282 student capacity. Secondary alternative schools at Buena and Ventura High Schools, as well as the Opportunity Program and the Independent Study Program at the Pacific Continuation High School, enable students to make up units, get extra help, and transfer back to the mainstream schools.

Although many schools are at or near capacity, the school district is working toward resolving overcrowding through construction of a new middle school in the vicinity of the plan area, as well as exploring potential new school sites and expansion of facilities at existing sites. Mitigation of adverse effects on capacity at schools is accomplished through payment of School Mitigation Fees at issuance of building permits pursuant to State Law. Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Therefore, mitigation is not required and the impact is thus considered less than significant.

4. The proposed specific plan includes development of several internal roadways, a community center, and 11.35 acres of green-space. In addition, the project involves development of improvements to Telegraph Road and Blackburn Road adjacent the plan area. However, the Economic Strategy for the Parklands Specific Plan, Section 6.A states the following.

The infrastructure and public facilities that will be required to enable development of Parklands will be provided per the requirements of this Specific Plan. The provision and maintenance of these public improvements will occur in a manner that does not encumber the City of San Buenaventura with any additional capital or ongoing service costs.

The applicant would be responsible for payment of City fees, a one time contribution

of up 11.35 acres of green space, some of which would be maintained by the City and some of which would be maintained by a Maintenance Assessment District or Home Owners Association, and annually recurring fees based on the increase in property tax. The financial gain to the City from recurring property taxes is anticipated to offset the associated increase in maintenance for development of additional City streets and parks. The impact would be less than significant and no mitigation is required.

Action 6.2 of the 2005 General Plan requires higher density development to provide pocket parks, tot lots, seating plazas and other aesthetic green spaces. In addition, Action 6.3 of the 2005 General Plan requires development to include trails when appropriate. The Parklands Specific Plan would implement these two actions through inclusion of greenspace that includes 5.57 acres of active recreational parks, including a linear park/bikepath along Brown Barranca, 1.82 acres of passive recreational parks, and 3.96 acres of sensitive habitat reserves (see Table 8). Considering the sensitive areas are excluded from recreational use, the project’s 7.39 acres of parks amounts to about 5.7 acres of parks per 1,000 residents based on the current citywide average household size of 2.6 persons (California Department of Finance, 2008). In addition, the applicant would be required to pay recreation fees consistent with City ordinance for the project’s contribution to the development of citywide parks. Therefore, the project’s impact with respect to recreational resources would be less than significant and no mitigation is required.

5. See above discussion under L.4.

Mitigation/Residual Impact(s): Given the above, specific plan implementation would have a less than significant impact with regard to the public service issue area. No mitigation measures are required.

**Table 8
Proposed Parklands Greenspace**

Green Space	Park Type	Area (acres)
Central Park	Active	0.83
Linear Park/Bike Path	Active	2.61
Tot lot	Active	0.09
Pocket Park	Active	.14
Neighborhood Park 1	Active	0.5
Neighborhood Park 2	Active	0.23
Recreation Field	Active	1.44
Subtotal Active Recreation		5.84

Pocket Park	Passive	0.40
Parkway/Allee	Passive	1.4
Rosewalk	Passive	0.20
Subtotal Passive Recreation		1.82
Brown Barranca Preserve ^a	Preserve	3.69
Detention Basin/Wetlands	Preserve	0.27
Subtotal Sensitive Habitat Reserve		3.96
Total Greenspace		11.62

Source: Moule & Polyzoides 8/30/2007

^a includes upstream area of the Barranca between the two box culverts from Telegraph Road to the downstream culvert inlet (4.14 original acres – 1.60 acres = 2.54 acres of preserve).

M. Utilities and Service Systems:

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
Would the project result in a need for new systems or substantial alterations to the following utilities:				
1. Power or natural gas?	_____	_____	<u> X </u>	_____
2. Communication systems?	_____	_____	_____	<u> X </u>
3. Local or regional water treatment or distribution facilities?	_____	_____	<u> X </u>	_____
4. Sewer or septic systems?	_____	_____	<u> X </u>	_____
5. Storm water drainage?	_____	_____	<u> X </u>	_____
6. Solid waste disposal?	_____	_____	<u> X </u>	_____

Impact Discussion:

1. Southern California Edison (SCE) provides electricity service in the City of San Buenaventura. SCE operates the Mandalay Beach and Ormond Beach electricity generating plants within Ventura County. Both plants are located in Oxnard and serve the entire Ventura County SCE service area. SCE operates other power plants within its service area, as well as purchasing electricity from other energy suppliers for a total generating capacity of approximately 18,320 megawatts. The service area peak demand is about 15,000 megawatts or 81 percent of the total service area generating capacity. According to past information forwarded by SCE, electricity supply is adequate to meet the City's current and future demands.

Standard conditions relating to building permits require that the proposed project comply with Energy Building Regulations adopted by the California Energy Commission (Title 24 of the California Administrative Code) to reduce energy consumption. Given the above, in addition to mitigation measure AQ-5, which would require increasing energy efficiency by 20% beyond Title 24 requirements, potential impacts to electrical services are considered less than significant.

The Southern California Gas Company (SCGC) provides natural gas services to the City of San Buenaventura. The availability of natural gas is based upon present conditions of gas supply and regulatory policies. As a public utility, the SCGC is under the jurisdiction of the California Public Utilities Commission and can be affected by actions of gas supply or the condition under which service is available. Gas service will be provided in accordance with any revised conditions. The regional gas supply is primarily from Texas via the El Paso Gas Company's pipeline to Southern California. With current natural gas reserves projected at a minimum of seven years, not including advancements in technology that would further extend the reserve life, natural gas supply is considered bountiful with no limitations expected on the quantities necessary for new or redeveloped projects.

Specific plan buildout would generate additional demand for natural gas service. Nevertheless, it is anticipated that sufficient gas service can be provided to the proposed project. Also, development accommodated under the specific plan would comply with Energy Building Regulations adopted by the California Energy Commission (Title 24 of the California Administrative Code) to reduce energy consumption to the extent feasible. Therefore, specific plan implementation would have a less than significant impact with regard to this issue area.

2. Development accommodated under the specific plan would incorporate the use of standard telephone and television cable lines consistent with surrounding land uses. The communication lines will meet all applicable City standards and requirements. All communication systems would be constructed according to applicable City and service provider standards. Therefore, specific plan implementation would have no impact with regard to this issue area.
3. The City of Ventura supplies water to the plan area. Proposed Parklands Specific Plan infrastructure, including water distribution lines, is shown on Figure 10 in Appendix A. The project includes development of up to 499 dwelling units, up to 25,000 square feet of commercial space, and a 6,560 square foot community center. The project's effects on water supply were evaluated pursuant to Senate Bill 610 in a Water Supply

Assessment (WSA, 2008), included in Appendix I of the EIR).

Citywide water sources include the Lake Casitas, Ventura River, the Mound Groundwater Basin, the Oxnard Plain Groundwater Basin, the Santa Paula Groundwater Basin, and the Saticoy County Yard Well currently planned for operation in late 2009 (Water Supply Assessment, 2008). Plan area development would utilize City water. Significant impacts would result if sufficient domestic and/or fire protection water supply was not present to serve the project's current and long-term needs. The WSA (2008) indicates the total water available for City use to be 29,900 acre feet/year (AFY) in 2010. The City of Ventura characterizes overall water usage based on per capita consumption, and the 2005 UWMP indicates that per capita consumption is 0.18 AFY. Specific plan implementation would increase demand for water. The projected 1,297 plan area residents (499 units x 2.6 residents/unit) would generate water demand estimated at 233 AFY (0.18 AFY x 1,297 residents).

The water supply service area includes the City of Ventura and unincorporated areas served by the City (2005 UWMP). The City's population projections are based on 2005 California Department of Finance data with application of a 0.88% growth rate (2005 UWMP). The unincorporated service area population projections are based on a 2005 customer count with a growth rate of 0.35% (2005 UWMP). The water service area population is anticipated to be 114,629 in 2010 (WSA, 2008). Based on a per capita rate of 0.18 AFY, water demand in 2010 would be 20,633 AFY (0.18 x 114,629). The projected supply of 29,900 AFY minus the 2010 projected demand of 20,633 AFY indicates there is a surplus of 9,267 AFY. Thus, project demand of 233 AFY could be served by the excess supply.

The WSA (2008) concludes that the project is proposed at a density consistent with the 2005 General Plan Land Use designation for the site of up to 8 du/acre (Residential Low) and that the 2005 General Plan Land Use Development patterns were accounted for in the 2005 UWMP as evidenced by the population projections that are consistent between the two documents. The WSA further concludes that existing and future supplies are adequate to meet demands of this project in association with other General Plan buildout over a 20-year planning horizon under normal, single dry and multiple dry years. Water Service Area supply would be adequate serve the proposed project and impacts would be less than significant.

As discussed above under L.1, current pressure deficiencies in the Wells and Saticoy areas are being addressed through City planned improvements and additional water supply in the Saticoy area would be provided for planned growth under the 2005 General Plan through development of Saticoy Well #3. Thus, although there are deficiencies with respect to water delivery, these deficiencies are being addressed through ongoing and planned improvements. Therefore, the proposed project's impact with respect to water supply and delivery would be less than significant and no mitigation measures are required.

4. Development within the plan area would connect to the City wastewater system as shown on Figure 10 (Appendix A). The proposed infrastructure plan, including sewer disposal lines, is shown on Figure 10. Connection points for wastewater disposal would be at the existing service line in Blackburn Road and Wells Road. The Wells

community and much of the Saticoy community are currently served by two 12-inch trunk sewer lines crossing Highway 126 and increasing to 15 and 18-inches, respectively, at the Wells Road Lift Station. The City has completed the "Northbank Lift Station" and the Northbank Force Main, which resulted in capacity increases sufficient to allow for project development (DTR Engineering, October 2005). A new 18-inch to 21-inch trunk sewer from the Wells Lift Station to the new Northbank Lift Station was constructed as part of Tract 4542. This trunk line is shown in the CIDS Report as the "Southern Trunk - Saticoy Avenue to Northbank Lift Station" and the "Wells Road Trunk Sewer", which replaced the Wells Road Lift Station. The above improvements have eliminated wastewater system deficiencies in both the Wells and Saticoy communities. A sewer study completed for the project (DTR Engineering, included in Appendix F) states that the additional flow generated by the proposed project would add 0.4821 cubic feet per second to the existing 15" sewer line, which would increase capacity to 31.7%. Thus, the resultant post-project flow is within than the maximum design capacity of 50%. Further, the applicant would pay the required Capital Improvement Development fees (CIDS) to the City's Wells-Saticoy Infrastructure Master Plan. Thus, the project's impact to wastewater disposal is less than significant.

5. Omrun Engineering prepared a "Brown Barranca Hydraulic Study" for the Parklands development. The text of that study, dated December 2006, is included in EIR Appendix E, while the full study (including attachments) is incorporated by reference and available for review at Ventura City Hall. In addition, Hawks & Associates prepared a "Detention Design" study for the Parklands development (dated December 28, 2006), while DTR Engineering prepared a "Stormwater Treatment Report" for the Parklands development. Those two reports are also incorporated by reference and available for review at Ventura City Hall.

The plan area currently drains to Brown Barranca, which traverses the plan area from Telegraph Road to Wells Road at Highway 126 and to a drainage ditch located at the southern boundary of the plan area. Brown Barranca is currently deficient in capacity at Highway 126 for large storm flow events (100-year storm), but adequate for lesser storm flow events (10-year storm). The Parklands Specific Plan would provide storm drainage in a network of grassy swales, ultimately discharging 100-year or lesser storms to the proposed detention basin. The proposed culvert improvements and detention basin (also discussed under Section D.3) would address existing and project generated downstream impacts along and beyond Brown Barranca southerly. In addition, the applicant would contribute approximately \$1,000,000 toward Brown Barranca Improvements through the CIDS Program. The Brown Barranca bridge crossing at Telegraph Road would be built and paid for by this development. The natural channel crossing would be improved and protected, allowing for the Brown Barranca linear park to extend through to SR 126. Implementation of the SWPPP (an erosion control plan required for construction activities) and compliance with applicable City requirements for control of storm runoff would reduce impacts to the storm water drainage system to a less than significant level.

Development within the plan area would be required to comply with the National Pollution Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit, as well as the County-wide Stormwater Quality Urban Impact Mitigation

Plan (SQUIMP). With regard to the increase in erosion potential, the 2000 Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) requires proposed developments to “control the post-development peak storm water runoff discharge rates to maintain or reduce pre-development downstream erosion and to protect stream habitat.” This affects both large and small storm water flows. Compliance with the aforementioned SQUIMP will address the projects impacts to the Brown Barranca.

The City, County, Watershed Protection District, and nine other local cities are co-permittees on NPDES Permit No. CAS004002 issued by the Regional Water Quality Control Board in 2000. A new Municipal Stormwater Permit with additional requirements for new developments is expected to be adopted in 2008 and will likely apply to this project. NPDES is a federal Environmental Protection Agency (EPA) program administered by the states to control water pollution by regulating point sources. In California, the State Water Quality Control Board is responsible for ensuring compliance with the provisions of the Federal Clean Water Act and the State Water Quality Control Act. The Los Angeles Regional Water Quality Control Board ensures local compliance with the countywide NPDES permit. The Ventura County SQUIMP is included as an attachment to the permit. The two primary municipal permit objectives are to:

- Effectively prohibit non-storm water discharges; and
- Reduce the discharge of pollutants from storm water conveyance systems to the maximum extent practicable.

The SQUIMP addresses storm water pollution from new development and redevelopment by the private sector, and contains a list of the minimum required Best Management Practices (BMPs) required for a designated project. A BMP is defined as any program, technology, process, siting criteria, operating method, measure, or device that controls, prevents, removes, or reduces pollution. Per the SQUIMP, BMPs can be used for minimizing the introduction of pollutants of concern that may result in significant impacts to the storm water conveyance system from site runoff. Therefore, based on proposed improvements and standard conditions, specific plan implementation would have a less than significant impact on storm drainage facilities.

6. New development within the plan area would be required to comply with the City-adopted Model Ordinance of the California Integrated Waste Management Board, relating to areas for collecting and loading recyclable materials in development projects. Specific plan buildout would generate an estimated 1,266 new residents; therefore, based on a per capita rate of 0.0096 tons/day per person, it would generate approximately 12 tons per day. However, the City diverts 61% of this solid waste through source reduction programs such as recycling; therefore, the amount sent to area landfills would be approximately 4.7 tons per day. The Toland Road Landfill receives approximately 1,200 tons/day and has a 1,500 ton/day capacity, while the Simi Valley Landfill receives approximately 2,600 tons/day and has a 3,000 ton/day capacity, leaving a combined 700 ton/day capacity. Thus, the project's contribution of 4.7 tons per day is well within the existing capacity and the impact to solid waste disposal is less than significant.

Mitigation/Residual Impact(s): Given the above, specific plan implementation would have a less than significant impact with regard to the utilities/service systems issue area. No mitigation measures are required.

N. Transportation/Circulation:

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
1. Generation of vehicle trips: P.M. Peak: 531	_____	_____	___X___	_____
2. Would the project further the goals of the Circulation Element, complete needed street improvements, etc.?	_____	_____	_____	___X___
Would the project result in:				
3. Significant on or off-site traffic congestion?	_____	_____	___X___	_____
4. Impacts on or conflicts with existing air, rail, bus, bicycle, pedestrian or water transportation systems?	_____	_____	_____	___X___
5. Inadequate provision of required parking or impact existing parking?	_____	_____	___X___	_____

Impact Discussion:

- 1,3,4,5. This evaluation was conducted based on information provided in a Traffic and Circulation study that was prepared for this project (Associated Transportation Engineers [ATE], revised September 2005). Full buildout of the proposed specific plan would result in the generation of 5,558 average daily trips, 332 A.M. peak hour trips and 531 P.M. peak hour trips. The project includes a number of improvements and would involve the development of an internal street system. The project's effects on the surrounding roadway network, including SR 126 and County Congestion Management Plan locations is further discussed in the EIR. The project's effects are less than significant; nevertheless because of the magnitude of the project, these effects are discussed in the EIR.
2. The proposed project would involve the development of a street segment that would extend Carlos Way from Wells Road to Saticoy Avenue and would further this goal of the Circulation Element as shown on the Roadway Classification Plan, Figure 4.3 of the 2005 General Plan Update. This is a beneficial impact.

O. Water:

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
Would the project:				
1. Change absorption rates, drainage patterns or the rate and amount of surface runoff?	_____	<u> X </u>	_____	_____
2. Be in a flood hazard area, based on the FIRM maps?	_____	<u> X </u>	_____	_____
3. Cause a discharge into surface waters or alter surface water quality (e.g., temperature, turbidity)?	_____	_____	<u> X </u>	_____
4. Change the amount of surface water in any water body?	_____	_____	<u> X </u>	_____
5. Change currents or the course or direction of water movements?	_____	_____	<u> X </u>	_____
6. Change the quantity of ground waters, either through direct additions or withdrawals or through interception of an aquifer by cuts or excavations?	_____	_____	<u> X </u>	_____
7. Alter direction or rate of flow of groundwater?	_____	_____	_____	<u> X </u>
8. Impact groundwater quality?	_____	_____	<u> X </u>	_____
9. Impact the amount of water otherwise available for public Supplies?	_____	_____	<u> X </u>	_____

Impact Discussion:

Information for this section was obtained from the following sources:

- a) Engineering memorandum prepared for the plan area by DTR engineering (October 7, 2005)
- b) Information prepared by Hawks and Associates, (October 7, 2005)
- c) Brown Barranca Hydraulic Study for the Parklands development prepared by Omrun Engineering (December 2006)

- d) Detention Design Study prepared for the Parklands Development by Hawks & Associates (December 28, 2006)
- e) Stormwater Treatment Report” prepared for the Parklands development by DTR Engineering

Items a and b and the text of item c are included in EIR Appendix E. The full Brown Barranca Hydraulic Study (including attachments) as well as items d and e are incorporated by reference and available for review at Ventura City Hall.

1. The plan area is an infill site surrounded by an established urban environment. The proposed specific plan would involve the development of up to 499 homes, up to 25,000 square feet of commercial space, roadways, and parking lots. The proposed specific plan would alter the drainage pattern of the area and would decrease the area that water percolates into the ground. This has the potential to increase the rate and quantity of runoff. This is a potentially significant impact that will be further explored and discussed in the EIR.
2. According to the 2005 General Plan FEIR, portions of the Specific Plan area are within the 100-year and 500-year flood plains. These flood hazard zones are shown on Figure 21. In addition to the documents listed above, the flood hazard evaluation considered the following:
 - Federal Emergency Management Agency (FEMA) Flood Insurance Study, Flood Insurance Rate Maps (FIRM), and Flood Plain Management Regulations
 - Ventura County Watershed Protection District (VCWPD) District Watercourse Permit Requirements
 - City of Ventura Flood Plain Management Ordinance
 - City of Ventura Stormwater Quality Urban Impact Plan (SQUIMP) requirements
 - Parklands Specific Plan as well as the plan area drainage concept
 - VCWPD Five Year Capital Projects Program

Specific plan implementation would place residential development in an area that is currently classified as a 100-year flood zone. The applicant is working with the Ventura County Watershed Protection District to ensure that project drainage improvements in association with VCWPD planned capital improvements alleviate existing deficiencies as well as account for input to the conveyance system from surrounding developments. The proposed improvements would alleviate existing flooding in the vicinity of the plan area caused by deficiencies in Brown Barranca, on Linden Drive to the west and Blackburn road south of the plan area in the vicinity of the mobile home park. However, because the applicant is proposing to place residences in what is currently designated as a 100-year floodplain, a Letter of Map Revision (LOMR) must be obtained from FEMA indicating the revised 100-year flood plain. The final design of the improvements for the Barranca will be coordinated with the VCWPD and submitted to FEMA. If the design is acceptable to FEMA, typically a conditional LOMR can be granted during the design phase. The final map revision occurs when the physical improvements have been completed to the barranca and accepted for map revision. This is a potentially significant impact unless mitigated

and will be further explored and discussed in the EIR.

3. Discharges into surface waters will be altered as a result of the project. Runoff pollutants such as petroleum hydrocarbons and heavy metals generally associated with urban developments are typically washed off streets and parking areas during the first storm of the winter season, provided at least one-half inch of rain falls. However, because the project is subject to the requirements of the City of San Buenaventura and Ventura Countywide National Pollution Discharge Elimination System (NPDES) permit for municipal storm water runoff, the conditions of which limit the volume of contaminants allowed to enter the storm drain system, impacts are considered to be less than significant.
4. Implementation of the specific plan would increase in the amount of impermeable surfaces within the plan area, which would in turn alter the amount of surface water and the course and/or direction of plan area drainage. However, all specific plan area development would be subject to SQUIMP and proposed improvements would result in no net increase in surface runoff. Thus, the impact with respect to increased runoff would be less than significant.
5. Specific plan implementation would involve alterations to Brown Barranca; however, this action would be undertaken in a manner that minimizes the potential for adverse effects from erosion (see discussion under Section D.1 and D.7 as well as M.5). The potential for adverse effects resulting from changing the course or direction of water movements is less than significant and no mitigation is required.
6. Specific plan implementation would not change the quantity of ground water. The existing agricultural well and associated use would be eliminated and the project would receive water from local infrastructure, thereby reducing the existing draw on groundwater within the plan area. Adverse effects are not anticipated and the project's effect is considered less than significant.
7. Implementation of the proposed specific plan would not alter the direction or rate of flow of groundwater. No impact would occur.
8. The proposed project may have a beneficial effect on groundwater quality due to project incorporation of NPDES permit requirements, BMPs and other drainage improvements. In addition, conversion of the land from the existing agricultural use would eliminate the application of pesticides, herbicides and fertilizers from being leached down through the soil into the groundwater supply. Therefore, the project's effect on groundwater quality would be less than significant.
9. Specific plan implementation would replace the existing agricultural row crop use with residential use. Thus, the groundwater currently used for agricultural row crop irrigation would be conserved and residential demand would increase with development of 499 units. Water needs for the proposed project are anticipated at 233 acre-feet per year. Additionally, as discussed under item M.3, the water supply is adequate to serve planned growth within the City. As such, impacts to water supply availability would be less than significant (see discussion under item M.3).

Mitigation/Residual Impact(s): Based on the above discussion, specific plan implementation would have a less than significant impact with respect to all issues except increasing the rate and quantity of runoff, and construction of housing within a designated 100-year floodplain. These are potentially significant impacts that will be further discussed in the EIR.

P. Mandatory Findings of Significance:

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
<p>1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>	_____	_____X_____	_____	_____

Finding Discussion:

Based on the information obtained in the preparation of this Initial Study, the issue areas of biological resources, and cultural resources have the potential for adverse effects. These issues will be further explored and discussed in the EIR.

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
<p>2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p>	_____	_____X_____	_____	_____

Finding Discussion:

Planned cumulative development associated with buildout of the 2005 General Plan in the City of Ventura would add more than 8,300 dwelling units, as well as about 1.2 million square feet of retail development, 1.2 million square feet of office development, 2.2 million square feet of industrial development, and more than 500,000 square feet of hotel development. Cumulative impacts for the issue areas of aesthetics, air quality, biology, cultural, hydrology, hazards, noise, and traffic are discussed in the EIR. Cumulative impacts would be addressed on a case by case basis depending on the issue. The 2005 General Plan FEIR found that solid waste disposal facilities serving the City are projected to close within or close to the time frame for buildout of the General Plan. A statement of overriding considerations was made for the impact and development within the plan area would be required to comply with the City-adopted Model Ordinance of the California Integrated Waste Management Board, relating to areas for collecting and loading recyclable materials in development projects. For all other issue areas dismissed in this initial study, cumulative impacts would be less than significant.

	Potentially Potentially Significant Significant Unless <u>Mitigated</u>	Potentially Significant Less Than Significant <u>Impact</u>	Less Than Significant No <u>Impact</u>	No Significant <u>Impact</u>
3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	___X___	_____	_____	_____

Finding Discussion:

The proposed specific plan has potential for adverse effects in the issue areas of air quality, flooding, hazards, and noise, all of which could have direct or indirect effects on human beings. These issues will be further explored and discussed in the EIR.

IV. CIRCULATE TO THE FOLLOWING AGENCIES/PERSONS:

VENTURA COUNTY

Agricultural Commissioner
Clerk of the Board of Supervisors* (3 Copies)
Ventura County Watershed Protection District*
County of Ventura Resource Management Agency (3 copies)
Ventura County Transportation Commission*
Local Agency Formation Commission

ADJACENT COUNTIES

None

ADJACENT CITIES

City of Oxnard
City of Santa Paula

OTHER PUBLIC AGENCIES

Air Pollution Control District*
Ventura County Organization of Government (VCOG)
South Coast Area Transit (SCAT)
Solid Waste Management Dept.
Ventura Regional Sanitation District*
Ventura Unified School District

LIBRARIES

Avenue Branch Library*
H.P. Wright Branch Library*
E.P. Foster Branch Library*

STATE AGENCIES

Caltrans District 7 (Santa Barbara) Environmental Section
California Regional Water Quality Control
California Integrated Waste Management
Southern California Association of Government (3 copies)
California Coastal Commission
California Department of Fish and Game
State Office of Planning and Research (16 copies)

FEDERAL AGENCIES

U.S. Army Corps of Engineers

CITIZENS GROUPS

Sierra Club
Building Industry Association
Region of Southern California, Inc.
Environmental Coalition
League of Women Voters
Ventura County Archaeological Society
East Ventura Community Council

***THESE AGENCIES ALWAYS RECEIVE MAILOUT ITEMS**

V. LIST OF REFERENCES:

These references, and those previously cited within the text of this Initial Study, are intended to provide a list of Supporting Information Sources and/or evidence staff has relied upon in completing this document and in reaching the conclusions contained herein. In addition, the materials that were submitted by the applicant have also been used in completing this document.

If any person or entity reviewing this Initial Study/Environmental Assessment has a question regarding the supporting information source and/or evidence, they may contact the staff planner at the address and telephone number noted on the front page of this document during the public review period.

- a. City of San Buenaventura, 2005 General Plan, including all technical appendices, maps, and the 2005 General Plan Final Environmental Impact Report.
- b. City of San Buenaventura, Zoning Ordinance, including all maps prepared and adopted therefore, 1992.
- c. City of San Buenaventura Public Works Department, Annual Transportation Report, April 2002.
- d. City of San Buenaventura, Engineering Design Standards, 1989.
- e. Ventura County Solid Waste Management District, Countywide Solid Waste Management Plan, 1985.
- f. City of San Buenaventura, Residential Growth Management Program.
- g. City of San Buenaventura, Air Quality Mitigation Program, 1993.
- h. Federal Emergency Management Agency (FEMA) MAPS, 1987.

- i. City of San Buenaventura Grading Ordinance 95-25.
- j. Uniform Building Code, 1998.
- k. Moule & Polyzoides, Parklands City of San Buenaventura Specific Plan Draft No, 6, July 6, 2007.
- l. Earth Systems Southern California Phase I Environmental Site Assessment, Tentative Tract 5632 (Parklands) Ventura, California VT-23523-02, November 3, 2005.
- m. Earth Systems Southwest, Phase II Investigation, Tentative Tract 5632, Parklands Southwest Corner of Telegraph Road and South Wells Road, Ventura, California, November 22, 2006.
- n. Padre Associates, Biology Impact Study for the Parklands Master Plan City of Ventura, California, April 2007.
- o. Padre Associates, Noise Impact Study Parklands Master Plan, Tentative Tract Map No. 5632, Ventura California, April 2007.
- p. Earth Systems Southern California, Geotechnical Engineering Report for Parklands (Tentative Tract 5632) Ventura, California, October 6, 2005.
- q. Conejo Archaeological Consultants. Phase I Archaeological Survey of 66.7 Acres for Tentative Tract 5362 (Parklands). City of San Buenaventura, Ventura County, California, June 6, 2006.
- r. DTR Engineering. Infrastructure Analysis Wells Community and "Parklands" Development Tract Number 5632, October 7, 2005.
- s. Parklands Infrastructure Conditions Engineering Memorandum. DTR Engineering. August 17, 2005.
- t. Associated Transportation Engineers. Traffic and Circulation Study, Parklands Project. City of Ventura, California, October 2005.
- u. Bolt, Beranek and Newman, "Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances," prepared for the U.S. Environmental Protection Agency, 1971.
- v. City of San Buenaventura, Biennial Water Supply Report, 2006.
- w. City of San Buenaventura Public Works Memorandum, March 14, 2007. Parklands Project (Telegraph Road /Wells Road). Response to request for comments regarding the project water plans (DTR Domestic Water Study).
- x. DTR Engineering. Tentative Tract No. 5653. Domestic Water Study.
- y. DTR Engineering. Parklands Tract Map No. 5632 Sewer Study. (no date).
- z. DTR Engineering. Fire Hydrant Calculations Tract Map No. 5632 July 2007
- aa. Omrun Engineering. Brown Barranca Hydraulic Study (Henderson Road to Telegraph Road) Parklands Development City of Ventura December 2006.

- bb. City of San Buenaventura, Department of Public Works, Urban Water Management Plan, December 2005.
- cc. Hawks & Associates, Parklands Development TTM No. 5632 Detention Design, December 28, 2006.
- dd. DTR Engineering, Stormwater Treatment Report: Tentative Tract No. 5632 Parklands (no date).
- ee. City of San Buenaventura, memorandum from V.S. Chandrashaker, Associate Transportation Engineer, to Iain Holt, Associate Planner, January 30, 2008.
- ff. Chang Consultants, letter report regarding channel improvements for Brown Barranca, October 15, 2007.
- gg. City of San Buenaventura, SB 610 Water Supply Assessment for Parklands, Specific Plan No. 6, January 14, 2008.

VI. PERSONS AND/OR AGENCIES CONSULTED DURING PREPARATION OF THIS INITIAL STUDY:

<u>Person</u>	<u>Agency</u>	<u>Comments</u>
Chandra Chandrashaker	Land Development	Transportation
Andrew Stuffer	Building Official/	Hazards
Brian Clark	Fire Marshall	Fire
Bob Williams	Land Development	Geophysical, Utilities
Joe Santos	Public Works	Sewer Services
Richard Jones	Public Works	Water Services
Susan Rungren	Public Works	Water/Sewer Services
Tom Mericle	Engineering	Traffic

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



July 28, 2008

Iain Holt
City of San Buenaventura
P.O. Box 99
San Buenaventura, CA 93002-0099

Dear Iain Holt:

Re: SCH# 2008031082; Parklands Specific Plan and Tentative Map

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

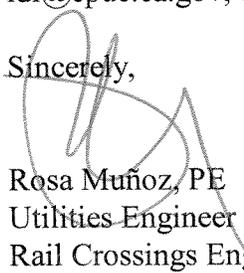
The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-NOP* from the State Clearinghouse. RCES staff is concerned that the proposed project at Telegraph Road, Wells Road, Blackburn Road and SR-126 will cause an increase in traffic at the nearby Los Angeles Avenue (SR 118, DOT# 745890W, lat=34.282166, long=-119.148327) crossing.

Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad right-of-way.

The City of San Buenaventura should arrange a meeting, and Union Pacific Railroad Company to discuss relevant safety issues and, if necessary, file a GO88-B request for authority to modify an at-grade crossing.

If you have any questions, please contact Laurence Michael, Utilities Engineer at 213-576-7076, ldi@cpuc.ca.gov, or me at rxm@cpuc.ca.gov, 213-576-7078.

Sincerely,


Rosa Muñoz, PE
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

RECEIVED

JUL 31 2008

Community Development
PLANNING DIVISION

C: Dan Miller, UP



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



July 24, 2008

Mr. Iain Holt
City of Buenaventura
Community Development Department
501 Poli Street
Ventura, California 93002

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JUL 28 2008

Community Development
PLANNING DIVISION

Subject: Notice of Preparation of a Draft Focused Environmental Impact Report for the Parklands Specific Plan and Tentative Tract Map, SCH # 2008031082, Ventura County

Dear Mr. Holt:

The Department of Fish and Game (Department) has reviewed the Initial Study and recognizes this project had been previously distributed as an Initial Study Mitigated Negative Declaration for the Parklands Specific Plan. The Department supports the County's decision to prepare a focused Environmental Impact Report to insure that all biological impacts resulting from this project are reduced to less than significant. The proposed project is the development of a 66.7-acre eight-parcel area in the Wells Community. The proposal includes annexation of three parcels currently under agriculture production from the County to the City. The proposal outlines the development of 499 total residential units, a 6,560 square foot community center, a 25,000 square foot commercial/retail space, and approximately 11.62 acres of open space along Brown Barranca. Currently the 66.7-acre project site is under agriculture with several private residences scattered along the parameter. The Brown Barranca includes approximately 1,660 linear feet of quality riparian habitat. The proposal is to maintain 860 feet of Brown Barranca and approximately 725 feet of riparian stream would be modified and placed underground in three box culverts. Native trees will be planted on the surface adjacent to a constructed stream and above the historic channel.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Section 15386) and pursuant to our authority as a Responsible Agency under the California Environmental Quality Act (CEQA), Section 15381 over those aspects of the proposed project that come under the purview of Fish and Game Code Section 1600 et seq. regarding impacts to streams and lakes.

The California Wildlife Action Plan, a recent Department guidance document, identified the following stressors affecting wildlife and habitats within the project area: 1) growth and development; 2) water management conflicts and degradation of aquatic ecosystems; 3) invasive species; 4) altered fire regimes; and 5) recreational pressures. The Department looks forward to working with Ventura County to minimize impacts to fish and wildlife resources with a focus on these stressors.

The Specific Plan was published in March 2006 and the Biological Impact Study was initially prepared in December 2006 and updated in April 2007. A field survey was conducted in November 2005. The Department recommends that a Biological Constraints Analysis (BCA) be

Conserving California's Wildlife Since 1870

prepared including updated wildlife and plant surveys for sensitive species that may occur in the project area. The following are specific comments concerning the Biological Impact Study and reference page and paragraph in the study report. These comments were included in a comment letter to Ventura County on the initial circulation of this project as a Draft Mitigated Negative Declaration and are reiterated in this letter to insure they are addressed in the Focused Environmental Impact Report.

Page 6, paragraph 3: The Department agrees that this Barranca has fragmented riparian habitat within the project reach. However, a site visit of the Barranca revealed that this is a high quality riparian fragment that is utilized by myriad of native species. The Department supports conserving the 11.62 acres of valuable stream resources, as outlined in the plan. We further recommend that the three box culverts proposed for the lower 725 linear feet be removed from the project and the area remain in a natural state. The Department also recommends increasing the size of the culvert as it exits the property to increase drainage during high flows. This would increase the open space component of the project and help maintain an already fragmented habitat.

Page 7, paragraph 2: The author states that due to the timing of the field survey in November 2005, bird nesting activity was not observed. However, yellow-rumped warbler, bushtit, song sparrow, American kestrel, Anna's hummingbird, and Bewick's wren were observed during the November field survey. The Department recommends updated avian surveys over several weeks of the nesting period and additional herpetological surveys in the spring.

1. The following outlines the Department's recommendations to minimize impacts to nesting birds with associated authority cited during the construction phase of the project.
 - a) Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
 - b) Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
 - c) If avoidance of the breeding bird season is not feasible, the Department recommends that beginning thirty days prior to the disturbance of suitable nesting habitat the project proponent should arrange for weekly bird surveys to detect protected native birds occurring in the habitat that is to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within

300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

Page 19, paragraph 4: The author of the Biological Impact Study recommends replacement plantings in a 3:1 ratio for native trees. Clarification is needed when compared with Page 23 of the Initial Study that states a minimum of 1:1 replacement for riparian vegetation. The Department concurs with the recommendation of a minimum of 3:1 depending upon size of the tree removed.

Due to the limited acres of quality riparian habitat in the area the Department recommends that the entire length of the Barranca be conserved and that the northern corner of the proposed property be maintained as open space to provide a buffer for the Barranca. The Department recommends a wider buffer around the riparian habitat and contends that the quality of the development will offset the loss of a few residential units. Research has repeatedly shown that a quality development with adequate open space in close proximity increases property value.

To enable Department staff to adequately review and comment on the proposed project we recommend the following information, where applicable, be included in the Focused Environmental Impact Report:

1. A complete, recent assessment of fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species.
 - a. A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Recent, focused, species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and U.S. Fish and Wildlife Service. Field work should include protocol level surveys for California red-legged frog.
 - b. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, § 15380).
 - c. Proposed project activities (including disturbances to vegetation) should take place outside of the breeding bird season (February 1- August 15) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). If project activities cannot avoid the breeding bird season, nest surveys should be conducted and active nests should be avoided

and provided with a minimum buffer of 300 foot buffer (the Department recommends a minimum 500 foot buffer for all active raptor nests).

- d. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.
2. A California Endangered Species Act (CESA) Permit must be obtained, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to the proposed project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit. For these reasons, the following information is requested:
 - a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
 - b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
 3. The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations.
 - a. The Department requires a streambed alteration agreement, pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant prior to any direct or indirect impact to a lake or stream bed, bank or channel or associated riparian resources. The Department's issuance of a stream bed alteration agreement may be a project that is subject to CEQA. To facilitate our issuance of the agreement when CEQA applies, the Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) document for the project. To minimize additional requirements by the Department under CEQA the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources.

The Department recommends that an update Biological Impact Study be completed and additional mitigation measures developed to fully mitigate impacts from this project and should be included in a revised DMND prior to lead agency approval of the project.

Ian Holt
July 24, 2008
Page 5 of 5

Thank you for this opportunity to provide comments. Questions regarding this letter should be directed to Mr. Dan Blankenship, Staff Environmental Scientist, at (661) 259-3750.

Sincerely,

for Helen R. Birss
Edmund J. Pert
Regional Manager
South Coast Region

cc: Helen Birss, Los Alamitos
Betty Courtney, Newhall
Dan Blankenship, Newhall
HCP-Chron Department of Fish and Game
State Clearinghouse, Sacramento

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-4082
 (916) 657-5390 - Fax



July 18, 2008

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JUL 22 2008

Community Development
PLANNING DIVISION

Iain Holt
 City of San Buenaventura
 501 Poli Street P.O. Box 99
 San Buenaventura, CA 93001

RE: SCH#2008031082 Parklands Specific Plan and Tentative Map; Ventura County.

Dear Mr. Holt:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez
 Program Analyst

CC: State Clearinghouse

Native American Contacts
Ventura County
July 18, 2008

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks , CA 91362
805 492-7255
(805) 558-1154 - cell

Chumash
Tataviam
Fernandeño

Stephen William Miller
189 Cartagena
Camarillo , CA 93010
(805) 484-2439

Chumash

Owl Clan
Dr. Kote & Lin A-Lul'Koy Lotah
48825 Sapaque Road
Bradley , CA 93426
(805) 472-9536

Chumash

Randy Guzman - Folkes
1931 Shadybrook Drive
Thousand Oaks , CA 91362
ndnrandy@hotmail.com
(805) 905-1675 - cell

Chumash
Fernandeño
Tataviam
Shoshone Paiute
Yaqui

Julie Lynn Tumamait
365 North Poli Ave
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214

Chumash

Coastal Band of the Chumash Nation
Janet Garcia, Chairperson
P.O. Box 4464
Santa Barbara , CA 93140
805-964-3447

Chumash

Patrick Tumamait
992 El Camino Corto
Ojai , CA 93023
(805) 640-0481
(805) 216-1253 Cell

Chumash

Charles S. Parra
P.O. Box 6612
Oxnard , CA 93031
(805) 340-3134 (Cell)
(805) 488-0481 (Home)

Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH # 2008031082 Parklands Specific Plan and Tentative Map; Ventura County.

Native American Contacts

Ventura County

July 18, 2008

Carol A. Pulido

165 Mountainview Street
Oak View , CA 93022

805-649-2743 (Home)

Chumash

Melissa M. Para-Hernandez

119 North Balsam Street
Oxnard , CA 93030

805-988-9171

Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH # 2008031082 Parklands Specific Plan and Tentative Map; Ventura County.

Board of Directors

Bruce E. Dandy, President
Robert Eranio, Vice President
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Lynn Maulhardt
Roger E. Orr
F.W. Richardson

Legal Counsel

Anthony H. Trembley

General Manager

Dana L. Wisohart

**UNITED WATER CONSERVATION DISTRICT**

"Conserving Water Since 1927"

July 25, 2008

Mr. Iain Holt
Community Development Department
City of San Buenaventura
501 Poli Street
Ventura, CA 93001

Reference: Notice of Preparation for Parklands Specific Plan and Tentative Tract Map

Mr. Holt,

United Water Conservation District has reviewed the Notice of Preparation of a Draft Focused EIR: Parklands Specific Plan and Tentative Map. Staff has a couple of comments with respect to water supply for the proposed project area.

The amount of water needed for this development, which includes up to 499 residential units, commercial/retail businesses, and green spaces, might range up to 250 acre-feet per year. The parcels being proposed for developed are within the Santa Paula basin, which is subject to a California Superior Court Stipulated Judgment with respect to pumping within the basin. The current pumping allocation for the area designated for development appears to be 97 acre-feet per year, and is associated with the Coffman well (T3N, R22W, Section 35N01 SBB&M). Records show that an additional well, T3N, R22W, Section 35P01 SBB&M, was historically located near the eastern boundary of the proposed development area. This well however, has no apparent allocation for pumping under the stipulated judgment and it is unknown if the well still exists and if it does exist, whether it is being pumped. It's not clear how the allocation associated with the Coffman well would allow for a sufficient amount of water to be supplied to the existing approximate 66 acres of row crops on the parcels within the proposed project site. This assumes crops are grown throughout the year. This suggests that either the well along the eastern boundary still exists and is being pumped (but not reported), the Coffman well is being pumped beyond its allocation, and/or that another source of water is being delivered into the area. Alta Mutual Water Company delivers water northeast and northwest of this area but, to staff's knowledge, does not deliver south of Telegraph Road in this area.



UNITED WATER CONSERVATION DISTRICT

Although the Investigation of Santa Paula Basin Yield report (2003) found that the Santa Paula basin was not in overdraft as of 1998, the report also states that *“water levels in the west end of the basin behave differently than water levels in the remainder of the basin. In particular, well interference problems and long-term water-level declines have occurred.”* The proposed Parklands project is located within the western area of the Santa Paula basin. Any increased pumping in this area above the average pumping during the study period (1983 through 1995) might result in increased water-level decline. The general area is already pumped in excess of the allocations for this area, as based upon the 2006 Santa Paula Basin Annual Report, which shows cumulative pumping (2000 through 2006) of 480 acre-feet in excess of allocation on the approximate 36 acre Hanson Trust Fund tract just west of the proposed project area.

If you have any questions please contact Pete Dal Pozzo or Ken Turner at (805) 525-4431 or alternatively at peted@unitedwater.org or kent@unitedwater.org.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Michael Solomon". The signature is fluid and cursive, written over a white background.

E. Michael Solomon
Chief Financial Officer

Cc: BDRF
Santa Paula Basin Pumpers Association

File: City of San Buenaventura

July 22, 2008

Mr. Iain Holt
City of San Buenaventura
Planning Division
501 Poli Street
Ventura, CA 93002

RE: Parklands Specific Plan NOP

Dear Mr. Holt:

Thank you for providing the Ventura Local Agency Formation Commission (LAFCO) with the opportunity to review the NOP for the Parklands Specific Plan EIR. As a CEQA responsible agency, we are charged with ensuring that environmental documents prepared by lead agencies address the issues that relate to our scope of authority. Please note that these comments are solely those of the LAFCO staff; the document has not been reviewed by the Commission.

The EIR should identify LAFCO as a public agency whose approval is required in conjunction with the development of the proposed project. Indeed, to annex the unincorporated portions of the proposed specific plan area to the City, LAFCO must first take action to approve an application for several changes of organization, collectively referred to as a reorganization. More specifically, the necessary reorganization action would need to include annexation of the portion of the project area currently located outside of the City boundaries and the simultaneous detachment of the same area from the Ventura County Resource Conservation District and the Ventura County Fire Protection District.

The issues raised in this letter should be addressed in the EIR. Should outstanding issues remain, LAFCO may consider the application as incomplete for processing.

LAFCO offers the following comments:

April 1, 2008 letter

Ventura LAFCO submitted a letter to the City on April 1, 2008 (attached) in response to the previously proposed mitigated negative declaration for this project. In this letter, LAFCO cites a number of issues which should be addressed in the EIR.

Agricultural Resources

The NOP does not identify Agricultural Resources as a subject to be discussed in the EIR, though the project will eliminate about 67 acres of prime farmland. The cumulative impact to agricultural resources within the Saticoy-Wells Community Plan, of which this site is a part, is substantially greater. The loss of such farmland is a significant impact and must be evaluated.

The previously proposed initial study/mitigated negative declaration (as well the initial study recently prepared for the nearby development proposed on the Hansen property) stated that there would be no impact to agricultural resources because a statement of overriding consideration was adopted for such impacts when the General Plan EIR was certified. This should not be the basis to conclude that there will be no impacts to agricultural resources resulting from this project, as the FEIR for the General Plan specifically states in response to LAFCO's comments that, "As specific boundary adjustments are proposed in the future, the City will conduct analysis of applicable Government Code provisions as required by LAFCO." Please note in particular Ventura LAFCO Commissioner's Handbook Policy 2.1.2.1 (attached), which requires the submittal of specific information in conjunction with change of organization proposals that could lead to the conversion of agricultural lands to non-agricultural uses. Any of this information not included in the EIR will be required by LAFCO prior to deeming an application complete.

Island Annexation

Section 3.2.3 of the Ventura LAFCO Commissioner's Handbook states:

Any approval of a proposal for a change of organization or reorganization will be conditioned to provide that proceedings will not be completed until and unless a subsequent proposal is filed with LAFCO initiating proceedings for the change of organization or reorganization of all unincorporated island areas that meet the provisions of Government Code Section 56375.3, provided all of the following criteria are applicable:

- i. The approved proposal was initiated by resolution of a city that surrounds or substantially surrounds one or more unincorporated island areas that meet the requirements of Section 56375.3.
- ii. The territory in the approved proposal consists of one or more areas that are each 40 acres or more in area.
- iii. The territory in the approved proposal will not be used exclusively for agriculture or open space purposes after the completion of proceedings.
- iv. The territory in the approved proposal is not owned by a public agency or used for public purposes.

The proposed annexation appears to meet the criteria outlined above. Under this policy, the reorganization/annexation of the Parklands project would be unable to be finalized until the City seeks annexation of its unincorporated islands. You may want to include this in the EIR.

Again, thank you for the opportunity to comment on the NOP. Please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kai Luoma', written in a cursive style.

Kai Luoma, AICP
Senior Analyst

Attachments

CC: Supervisor Steve Bennett, District 1

SECTION 2.1.2 APPLICATIONS

2.1.2.1 Application and fees required: No application shall be deemed complete and no Certificate of Filing shall be issued for any application that does not include a completed Ventura LAFCO application form accompanied by the required fees and supporting documentation and maps as specified in the Ventura LAFCO filing requirements. The Executive Officer or designee may, prior to deeming an application complete, require additional information, including but not limited to, complete details for plans for service, property tax redistribution agreements, and similar information necessary for the Ventura LAFCO to make informed decisions on the factors and determinations required by law.

- i. Unless specifically waived by the LAFCO Executive Officer, for any proposal which could reasonably be expected to lead to the conversion of agricultural lands (as defined by Government Code Section 56016) to non-agricultural uses, information regarding the effects of the proposal on maintaining the physical and economic integrity of agricultural lands shall be submitted in conjunction with the application. Specifically, the information should address the following: The location of, and acreage totals for, prime and nonprime agricultural land involved in the area and adjacent areas. This analysis shall be based on the definition of “prime” agricultural land pursuant to Government Code Section 56064.
- ii. The effects on agricultural lands within the proposal area.
- iii. The effects on adjacent agricultural lands.
- iv. The effects on the economic integrity of the agricultural industry in Ventura County.

In addition, information should be provided about any measures adopted to reduce the effects identified.



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City of Santa Paula

970 Ventura Street • Santa Paula, California • Mailing Address: P.O. Box 569 • 93061 • Phone: (805) 525-4478 • Fax: (805) 525-6278

July 16, 2008

City of Ventura Planning Division
Iain Holt, Acting Senior Planner
501 Poli Street, Room 117
Ventura, CA 93002

Re: NOP for a Focused EIR for Parklands Specific Plan & Tentative Tract Map

Dear Mr. Holt:

Thank you for the opportunity to comment on the NOP for the Parklands Specific Plan and tentative tract map. The project involves future development of a 66.7 acre; eight parcel area for development with residential uses with supporting infrastructure, green-space, community recreational and a small amount of service commercial development. The City of Santa Paula submits the following comments for consideration for inclusion in the EIR for the aforementioned project.

1. The air quality section should incorporate a discussion of Global Warming/Green House Gases and California Regulations as well as the required CEQA analysis on this issue.
2. The land use section should include a discussion on the proposed zone change from County designated AE-40 to the Specific Plan designations and the potential impact on the loss of agricultural lands.

Sincerely,

Anna Arroyo
Assistant Planner

RECEIVED

JUL 17 2008

Community Development
PLANNING DIVISION

SANTA YNEZ BAND OF MISSION INDIANS
Tribal Elders Council

July 17, 2008

Iain Holt
City of San Buenaventura
Community Development Department
501 Poli Street
Ventura, CA 93001

RECEIVED
JUL 22 2008
Community Development
PLANNING DIVISION

RE: Parklands Specific Plan & Tentative Map

Dear Mr. Holt:

Thank you for contacting the Tribal Elders Council for the Santa Ynez Band of Chumash Indians in regards to the above mentioned project.

At this time, the Elders Council requests no further consultation on this project; however we also recommend that Chumash from the project area are also inclusive in your request for information.

If regulations that apply to this project do not require the presence of a Native American monitor, we ask that you please consider having a monitor in place during ground disturbance to assure that any cultural items unearthed be identified as quickly as possible. If you decide to proceed with hiring a Native American monitor please contact the Chumash of the project area.

Thank you for remembering that at one time our ancestors walked this sacred land.

Sincerely Yours,

The Tribal Elders Council Governing Board

AAP: kk

July 25, 2008

City of Ventura
Community Development Dept.
501 Poli Street
Ventura, CA 93001
Attn.: Mr. Iain Holt

E-mail: lholt@ci.ventura.ca.us

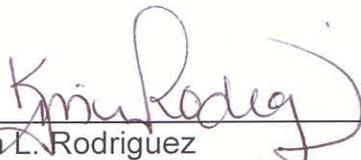
Subject: Comments on NOP of Draft Focused EIR; Parklands Specific Plan and Tentative Map

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document. Additional comments may have been sent directly to you by other County agencies.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Kari Finley, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Kari Finley at (805) 654-3327.

Sincerely,



Kimberly L. Rodriguez
County Planning Director

Attachment

County RMA Reference Number 08-010-1



VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009
Sergio Vargas, Deputy Director - 805 650-4077

DATE: July 23, 2008

TO: Kari Finley, Resource Management Agency

FROM: Sergio Vargas, P.E.
Planning and Regulatory

SUBJECT: RMA 08-010-1.PARKLANDS SPECIFIC PLAN

The Watershed Protection District has received the Notice of Preparation of a Draft EIR for the above project. The EIR should address the comments made by the District on the Draft Initial Study and Mitigated Negative Declaration (MND)

The comments are as follows:

The documents provided for the MND review did not contain sufficient information for review. Subsequently, two additional reports were obtained from the City of Ventura:

- Brown Barranca Hydraulic Study (Henderson Road to Telegraph Road) prepared by Omrun Engineering, December 2006
- Parklands Development, TTM No. 5632, Detention Basin prepared by Harks & Associates, December 28, 2006

The Detention Basin study was intended to mitigate the hydrologic impacts of the development.

The Brown Barranca Hydraulic Study proposes an interim improvement and future improvements. The interim improvement will replace the existing double 8'x6' RCB at Blackburn Road with a double 12' x 6' RCB and extend 700 feet upstream. This will reduce the 100-year floodplain upstream of HWY 126 but not eliminate it. Future improvements will widen the open channels and box culverts downstream from Blackburn Road to Henderson Road removing bottlenecks at HWY 126. The proposed channel and box culvert improvements in this study are smaller in size comparing with those proposed by HDR's Brown Barranca study, partly because the 700 feet box culvert extension has created supercritical flow conditions within the improved channels. For both interim and future conditions improvements, flow velocity leaving the development site will be much higher

than what it is at existing conditions. No flow velocity mitigation measures have been proposed under this study/development plan. Considering the high potential of erosion in downstream channels, the developer still bears the responsibility to mitigate the higher erosion potential of downstream channels.

The following summarizes the Watershed Protection District comments:

- On page 71 of the MND, item O Water: 1. Change absorption rates, drainage patterns or the rate and amount of surface runoff? Potentially Significant Unless Mitigated should be checked instead of Less Than Significant Impact. This change reflects the needs for onsite detention facilities to mitigate potential increase of surface runoff.
- In the Detention Basin plan prepared by Hawks & Associates, the conceptual plan of the onsite detention basin considers the development as one piece of land with a drainage area of 67 acres while in reality the development is composed of two pieces of land separated by Brown Barranca: a 54-acre portion located on south of the barranca and a 13-acre portion on the north bank of the Brown Barranca. Therefore, the basin needs to be design in accordance with the physical conditions of the development site.
- A conceptual plan & profile drawing is required to show: 1) the footprint, the location and the configuration of the detention basin, 2) the low-flow bypass channel (25 cfs), 3) the connection to Brown Barranca, and 4) the inlet and outlet structures.
- At existing conditions, the floodplain area upstream of the Hwy 126 acts as a natural detention facility with certain storage volume. At the interim conditions (with 700 feet culvert installed), the size of the floodplain will be reduced and so is its natural detention function. The onsite detention basin will have to compensate the loss of the natural detention volume.
- A comparison of pre- and post-development VCRAT hydrology for the whole Brown Barranca watershed is required in order to evaluate the effectiveness of the mitigation measures.
- The Brown Barranca Hydraulic Study provided two sets of HEC-RAS results for interim condition floodplain analysis, one for Subcritical Flow run and another for Mixed Flow. Mixed Flow run is more appropriate considering the physical conditions. However, the HEC-RAS run excluded the 700 feet box culvert section from Sta. 9063 to 8413 resulting in a discontinuity in flow velocity from 23 feet per second (fps) at 9063 to 7 fps at 8413. Because of this discontinuity, the higher flow velocity leaving the development site is not properly modeled. The interim condition hydraulics can be analyzed using either HEC-RAS or WSPG.

End of Text



**PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division
MEMORANDUM**

DATE: July 23, 2008

TO: Resource Management Agency, Planning Division
Attention: Kari Finley

FROM: Nazir Lalani, Deputy Director

SUBJECT: REVIEW OF DOCUMENT 08-010-1
Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR)-
Parklands Specific Plan and Tentative Tract Map. Project involves a Specific Plan,
annexation from County to City, General Plan (GP) Amendment, and Zone
Change located in southwest corner of the intersection of Telegraph Road and
Wells Road in the Wells Community of the City of Ventura.
Applicant: Westwood Communities Corporation
Lead Agency: **City of Ventura**
APN 089-0-012-004, -008, -014,-016, -018, -0190, -020 & -021

Pursuant to your request, the Public Works Agency -- Transportation Department has completed the review of the NOP of a Draft EIR for the subject project. The proposed project involves Specific Plan and subdivision of the future development of a 66.7-acre area in the City of Ventura, Wells Community area. The proposal involves annexation of three parcels, currently under agricultural production from the County to the City, a GP Amendment changing Figure 4.3 Roadway Classification Plan of the 2005 GP for Telegraph Road between Saticoy Avenue to Wells Road and Wells Road between Telegraph Road and Carlos Street from secondary arterial with four travel lanes to collector with two travel lanes, a Zone Change from AE-40 and R-1-7to T-4 Corridor, T3.1 Neighborhood Edge and to T-3.2 Neighborhood General. Development would include 173 units of courtyard condominium housing, 110 units triplex and quadplex condominium residential, 216 single family homes, 6,560 SF civic space, community center, 25,000 SF commercial/retail space, and 1.62 acre of green space, open space and parks (Table 1, Proposed Developments). The specific plan areas is located at the southwest corner of the intersection of Telegraph Road and Wells Road in the Wells Community of the City of Ventura, bounded by Telegraph Road on the north, Wells Road on the east, and Blackburn Road and State Route 126 on the south. Our comments are as follows:

1. We generally concur with the comments in the NOP of Draft EIR for those areas under the purview of the Transportation Department. However, no project specific impacts on County roadways were identified in the NOP of Draft EIR.
2. The Draft EIR should include the project site specific impacts, if any, and mitigation measures to address additional traffic from this project on Ventura County local roads and intersections, in particular, on the following road segments and intersections:

- Foothill Road, from City of Ventura city limits to Olive Road, including the intersection;
 - Intersection of Foothill Road and Wells Road;
 - Telegraph Road, from Ventura city limits to Olive Road, including the intersection;
 - Olive Road, from Foothill Road to Telegraph Road;
 - Saticoy Avenue, from and to City of Ventura city limits;
 - Intersection of SR 118 and Nardo Street;
 - Intersection of SR 118 and Vineyard Avenue (SR 232);
 - Intersection of SR 118 and Rose Avenue;
 - Intersection of SR 118 and Santa Clara Avenue, and
 - Intersection of SR 118 and Hwy 34.
3. The project shall contribute their fair share of cost for the sidewalk improvement project on Foothill Road in the vicinity of Brown Baranca, which is to be a joint project between the City of Ventura and the County of Ventura.
 4. The cumulative impact of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, is potentially significant. The condition for paying the County Traffic Impact Mitigation Fee (TIMF) to address the cumulative impacts of this project on the County Regional Road Network should be included in the Draft EIR. Based on the information from Initial Study (reviewed April 16, 2008), and the Reciprocal Agreement between the City of Ventura and the County of Ventura, the fee due to the County is:

$$5,559 \text{ ADT} \times \$42.95/\text{ADT} = \mathbf{\$238,759.05}$$

The above estimated fee may be subject to adjustment at the time of deposit, due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record construction cost index. The above fee is an estimate only based on information provided in the Initial Study. If the project cumulative impacts are not mitigated by payment of a TIMF, current GP policy will require County opposition to this project.

5. Please provide us a copy of the Draft EIR for review, when it becomes available.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

Please call me at 654-2080 if you have questions.

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**

Memorandum

TO: Kari Finley/Krista Blankenbiller, Planning DATE: July 23, 2008

FROM: Alicia Stratton

SUBJECT: Request for Review of Notice of Preparation for a Focused Environmental Impact Report (FEIR) for the Parklands Specific Plan, City of Ventura (Reference No. 08-010-0)

Air Pollution Control District staff has reviewed the subject project, which is a proposal for development of a 66.7-acre eight-parcel area in the Wells Community, with annexation of three parcels. The project would involve a general plan amendment and subsequent development would include residential uses, green-space, community recreational space and some service commercial development. There would be 499 residential units and 25,000 sq. ft. commercial/retail space. The project location is the southwest corner of the intersection of Telegraph Road and Wells Road in the City of Ventura.

District staff recommends the FEIR evaluate all potential air quality impacts that may result from the project. Specifically, the air quality assessment should consider reactive organic compound and nitrogen oxide emissions from all project-related motor vehicles and construction equipment. Additionally, the air quality assessment should consider potential impacts from fugitive dust and particulate matter, including PM10, that will be generated by construction activities. Compliance with the Ventura County Air Quality Management Plan should be addressed as well.

A carbon monoxide screening analysis should be conducted for any project-impacted roadway intersection that are currently operating, or that are expected to operate at, Levels of Service D, E, or F, or at any project-impacted roadway intersection that may be a CO hotspot. If a potential hotspot is identified, the District recommends that a complete CALINE3 or CALINE4 carbon monoxide analysis be conducted for that intersection.

This project will involve a large amount of grading of soil. The California Air Resources Board (CARB) has identified diesel exhaust particulate matter as a Toxic Air Contaminant (TAC). Diesel exhaust includes hundreds of different gaseous and particulate components, many of which are toxic. The earthmoving equipment has the potential to expose sensitive populations in the vicinity to elevated levels of diesel exhaust.

The District recommends that a screening health risk assessment be conducted for the project. Mitigation measures should also be identified and discussed if the assessment indicates a significant risk. Additional information on TACs can be obtained from the District's website at http://www.vcapcd.org/air_toxics.htm. If you have any general questions regarding air toxics, please contact Terri Thomas of the APCD at (805) 645-1405 or by email at terri@vcapcd.org. Section 2.6, Toxic Air Contaminants, of the Guidelines describes how a TAC can impact sensitive populations. In addition, Section 6.5 of the Guidelines discusses methods of assessing TAC impacts. Methods for TAC mitigation are discussed in Section 7.5.6 of the Guidelines.

If project-related air quality impacts are deemed significant, appropriate mitigation measures should be identified and included in the environmental impact report. Also, in addition to the above air quality issues, we recommend the draft environmental impact report also address global climate change.

If you have any questions, please call me at (805) 645-1426.

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF REGIONAL PLANNING
AND PUBLIC TRANSPORTATION
IGR/CEQA BRANCH
100 SOUTH MAIN STREET
LOS ANGELES, CA 90012
PHONE (213) 897- 6696
FAX (213) 897-1337



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APR 14 2008

Community Development
PLANNING DIVISION

*Flex your power!
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April 08, 2008

Mr. Iain Holt
City of Ventura
Planning Department
501 Poli Street
Ventura, CA 93002

Re: ***Parklands Specific Plan***
General Plan Amendment A0-227
IGR/CEQA No. 080352/EA
SCH#2008031082
Vic. VN-126-PM 5.29

Dear Mr. Holt:

Thank you for including the California Department of Transportation in the environmental review process of a 66.7-acre eight-parcel area in the Wells Community under the proposed Parklands Specific Plan for the City of Ventura. The applicant's proposal would involve annexation of three parcels currently under agricultural production from the County to the City. The proposed General Plan Amendment would change Roadway Classification Plan of the 2005 General Plan for Telegraph Road between Saticoy Avenue to Wells Road and Wells Road between Telegraph Road and Carlos Street from secondary arterial with four travel lanes to collector with two travel lanes. A zone change from R-1 (County Single-Family Residential) to T-4 Corridor, T3.1 Neighborhood Edge and T-3.2 Neighborhood General.

Based on a review of information contained in the Notice of Preparation of a PEIR, we have the following comments:

We request that a traffic impact study be prepared to include an evaluation of traffic impacts to South Wells Road and State Route 126 (SR-126) interchange and Telephone Road and State Route 118 (SR-118) intersection. Generally, we request that a traffic impact study include the following information:

- Presentations of assumptions and methods used to develop trip generation, trip distribution, trip assignments, and choice of travel mode. Travel modeling should be consistent with other regional and local modeling forecasts and with travel data.

- We are generally concerned about queuing of vehicles using off-ramps back into mainline through lanes. Before approving the proposed project, we recommend the City determine whether project-related plus cumulative traffic is expected to cause long queues on off-ramp at SR-126 and SR-118. Also, off-ramp intersections should be analyzed to determine whether their turn geometry is appropriate to accommodate transfer trucks.
- Inclusion of all appropriate traffic volumes. Analysis should include a) existing traffic b) cumulative traffic from all specific approved developments in the area, c) cumulative traffic from likely not-yet-approved developments in the area, and d) traffic growth other than from developments. Scenarios involving different assumptions on development and growth might be considered.
- Analysis of AM, and PM peak-hour volumes for both existing and future. Future conditions would include build-out of all projects and any plan-horizon years. Existing and buildout Level of Service should be specified (HCM2000 methodology is requested).
- Discussion of mitigation measures appropriate to alleviate anticipated traffic impacts. This discussion should include, but not be limited to, the following:
 - description of transportation infrastructure improvements
 - financial costs, funding sources and financing
 - sequence and scheduling considerations
 - implementation responsibilities, controls and monitoring

For additional information, please refer to State Guide for the Preparation of Traffic Impacts Studies at:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

We strongly recommend the City and its traffic consultant coordinate the preparation of the Traffic Study with Caltrans. We would welcome the opportunity to meet and share information that has been collected in the area.

The Department is also interested in the transportation planning roles of local general plans and suggests that they emphasize the following areas:

- Development of coordinated transportation system management plans that achieve the maximum use of present and proposed infrastructure.
- For your information, please refer to the website for the California Environmental Resource Evaluation System. It provides information regarding General Plans that you may find helpful:

http://ceres.ca.gov/planning/genplan/gp_chapter3.html#circulation

In addition to planning for physical transportation improvements, we encourage local jurisdictions to plan to mitigate traffic impacts on State highways by managing land use. Goals toward the achievement of a job/housing balance should be included in the General plan as it is critical to the regional transportation system.

If you have any questions regarding our comments, please call project coordinator Zeron Jefferson at (213) 897 – 1333 and please refer to our record number 071155/EA.

Sincerely,

for Alon Levi

Elmer Alvarez
IGR/CEQA Program Manager
Caltrans, District 7

cc: Scott Morgan, State Clearinghouse



State of California - The Resources Agency

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



April 16, 2008

Mr. Iain Holt
City of Buenaventura
Community Development Department
501 Poli Street
Ventura, California 93002

**Draft Initial Study and Mitigated Negative Declaration for
Parklands Specific Plan SCH # 2008031082, Ventura County**

Dear Mr. Holt:

The Department of Fish and Game (Department) has reviewed the Draft Mitigated Negative Declaration (DMND), Parklands Specific Plan for the above-referenced project. The proposed project is the development of a 66.7 acre eight-parcel area in the Wells Community. The proposal includes annexation of three parcels currently under agriculture production from the County to the City. The proposal requires a General Plan Amendment for roadway reclassification and zone changes. The proposal outlines the development of 499 total residential units, a 6,560 square foot community center, a 25,000 square foot commercial/retail space, and approximately 11.62 acres of open space along Brown Barranca. Currently the 66.7 acre project site is under agriculture with several private residences scattered on the parameter. The Brown Barranca includes approximately 1,660 linear feet of quality riparian habitat. The proposal is to maintain 860 feet of Brown Barranca and modify approximately 725 feet of this riparian under-grounding placing three box culverts and planting native tree on the surface adjacent to a constructed stream channel above the historic channel.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Section 15386) and pursuant to our authority as a Responsible Agency under the California Environmental Quality Act (CEQA), Section 15381 over those aspects of the proposed project that come under the purview of Fish and Game Code Section 1600 et seq. regarding impacts to streams and lakes.

The Specific Plan was published in March 2006 and the Biological Impact Study was initially prepared in December 2006 and updated in April 2007. A field survey was conducted in November 2005. The Department recommends that an updated Biological Impact Study be developed and updated wildlife surveys be conducted. The following are specific comments concerning the Biological Impact Study and reference page and paragraph in the study report.

Page 6, paragraph 3: The Department agrees that this Barranca is fragmented and the terminus riparian habitat in this reach. However, a site visit of the Barranca revealed that this is a high quality riparian fragment that is utilized by myriad of native species. The Department supports conserving this valuable resource of 11.62 acres outlined in the plan and recommend that the lower 725 linear feet proposed for confining in three box culverts remain in a natural state and increase the culvert size as it exits the property to increase

Conserving California's Wildlife Since 1870

Mr. Holt
April 16, 2008
Page 2 of 4

drainage during high flows. This would increase the open space component of the project and help maintain an already fragmented habitat.

Page 7, paragraph 2: The author states that due to the timing of the field survey in November 2005, bird nesting activity was not observed. However, yellow-rumped warbler, bushtit, song sparrow, American kestrel, Anna's hummingbird, and Bewick's wren were observed during the November field survey. The Department recommends updated avian surveys over several weeks of the nesting period and additional herpetological surveys in the spring. The following outlines the Department's recommendations to minimize impacts to nesting birds with associated authority cited during the construction phase of the project.

- a. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
- b. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
- c. If avoidance of the breeding bird season is not feasible, the Department recommends that beginning thirty days prior to the disturbance of suitable nesting habitat the project proponent should arrange for weekly bird surveys to detect protected native birds occurring in the habitat that is to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

Mr. Holt
April 16, 2008
Page 3 of 4

Page 19, paragraph 4: The author of the Biological Impact Study recommends replacement plantings in a 3:1 ratio for native trees. Clarification is needed when compared with Page 23 of the Initial Study that states a minimum of 1:1 replacement for riparian vegetation. The Department concurs with the recommendation of a minimum of 3:1 depending upon size of the tree removed.

Due to the limited acres of quality riparian habitat in the area the Department recommends that the entire length of the Barranca be conserved and that the northern corner of the proposed property be maintained as open space to provide a buffer for the Barranca. The Department recommends a wider buffer around the riparian habitat and contends that the quality of the development will offset the loss of a few residential units. Research has repeatedly shown that a quality development with adequate open space in close proximity increases property value.

To enable Department staff to adequately review and comment on the proposed project, we recommend the following information, where applicable, be included in an updated Biological Impact Study for the Parklands Master Plan:

1. A complete, recent assessment of fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species.
 - a. A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Recent, focused, species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and U.S. Fish and Wildlife Service. Field work should include protocol level surveys for California red-legged frog.
 - b. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, § 15380).
 - c. Proposed project activities (including disturbances to vegetation) should take place outside of the breeding bird season (February 1- August 15) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). If project activities cannot avoid the breeding bird season, nest surveys should be conducted and active nests should be avoided and provided with a minimum buffer of 300 foot buffer (the Department recommends a minimum 500 foot buffer for all active raptor nests).
 - d. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.
2. A California Endangered Species Act (CESA) Permit must be obtained, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to the proposed

Mr. Holt
April 16, 2008
Page 4 of 4

project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit. For these reasons, the following information is requested:

- a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
 - b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
3. The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations.
- a. The Department requires a streambed alteration agreement, pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant prior to any direct or indirect impact to a lake or stream bed, bank or channel or associated riparian resources. The Department's issuance of a stream bed alteration agreement may be a project that is subject to CEQA. To facilitate our issuance of the agreement when CEQA applies, the Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) document for the project. To minimize additional requirements by the Department under CEQA the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources.

The Department recommends that an update Biological Impact Study be completed and additional mitigation measures developed to fully mitigate impacts from this project and should be included in a revised DMND prior to lead agency approval of the project.

Thank you for this opportunity to provide comments. Questions regarding this letter should be directed to Mr. Dan Blankenship, Staff Environmental Scientist, at (661) 259-3750.

Sincerely,



Edmund J. Pert
Regional Manager
South Coast Region

cc: Helen Birss, Los Alamitos
Betty Courtney, Newhall
Dan Blankenship, Newhall
HCP-Chron Department of Fish and Game, San Diego
State Clearinghouse, Sacramento

EP:db

April 1, 2008

RECEIVED

APR 03 2008

Community Development
PLANNING DIVISION

Mr. Iain Holt
City of San Buenaventura
Planning Division
501 Poli Street
Ventura, CA 93002

RE: Parklands Specific Plan Initial Study/Mitigated Negative Declaration

Dear Mr. Holt:

Thank you for providing the Ventura Local Agency Formation Commission (LAFCO) with the opportunity to review the Initial Study and Mitigated Negative Declaration prepared for the Parklands Specific Plan. As a CEQA responsible agency, we are charged with ensuring that environmental documents prepared by lead agencies address the issues that relate to our scope of authority. Please note that these comments are solely those of the LAFCO staff; the document has not been reviewed by the Commission.

The document should identify LAFCO as a public agency whose approval is required in conjunction with the development of the proposed project. Indeed, to annex the unincorporated portions of the proposed specific plan area to the City, LAFCO must first take action to approve an application for several changes of organization, collectively referred to as a reorganization. More specifically, the necessary reorganization action would need to include annexation of the portion of the project area currently located outside of the City boundaries and the simultaneous detachment of the same area from the Ventura County Resource Conservation District and the Ventura County Fire Protection District.

The issues raised in this letter should be addressed by the City prior to submitting an application for a reorganization to the Ventura LAFCO. Should outstanding issues remain, LAFCO may consider the application as incomplete for processing.

LAFCO offers the following comments:

The Saticoy and Wells Community Plan

The subject project is part of the Saticoy and Wells Community Plan (Community Plan).

After preparation of an Initial Study/Notice of Preparation for the Community Plan (dated August 24, 2006), the City concluded that the preparation of an environmental impact report (EIR) was necessary due to numerous potentially significant impacts the Community Plan may have on the environment. Fifty-one direct, indirect, and cumulative potentially significant impacts were identified in the following areas:

- Aesthetics
- Conversion of agricultural land
- Air quality
- Biological resources
- Cultural resources
- Hydrology and water quality
- Land use planning
- Noise
- Population and housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and service systems
- All three of the mandatory findings of significance are checked as a "potentially significant impact".

According to a March 3, 2008 presentation made by City staff to the City Council and Planning Commission, this community plan is nearing completion and is scheduled to be adopted later this year or the early part of 2009.

The development of the Parklands site, the density of which comprises up to 25% of the 2,000 to 2,500 units envisioned for the Community Plan at the time the Initial Study/Notice of Preparation for the Community Plan was prepared, is a substantial factor in the determination that there are many potentially significant impacts to the environment associated with the development of the Community Plan.

The Parklands Initial Study and Mitigated Negative Declaration (IS/MND) concludes that the proposed project is consistent with the Community Plan. However, the determination of consistency with a plan (and its EIR) that is not adopted appears to be premature (it may be consistent with the plan as currently proposed, but community plans are often revised in response to the completion of environmental review and identification of mitigation measures, public review and comment, and public hearings, none of which have occurred for the Saticoy and Wells Community Plan). The IS/MND ignores the findings of the Community Plan's Initial Study/Notice of Preparation and proceeds as if the proposed project is a stand-alone project not associated with the Community Plan. As a result, the conclusions in the Parklands IS/MND determining that no significant impacts would result are reached without any consideration given to the numerous potentially significant impacts identified from development of the

Community Plan. Conducting CEQA review for this development separate and apart from that being conducted for the Community Plan improperly minimizes the environmental impacts caused by this project *and* those caused by the overall Community Plan. Such practice has been referred to by the courts as “piecemealing” or “segmenting” and is considered to be a violation of CEQA. The environmental document prepared for the Specific Plan and the Community Plan should evaluate the “whole of the action”, as required by CEQA Guidelines § 15378.

The Initial Study/Notice of Preparation prepared for the Community Plan concludes that, “The project may have cumulatively significant impacts, and may impact humans, through noise and traffic, among other issue areas, as noted throughout this initial study.” This document appears to provide substantial evidence and a fair argument that development of this site may have a significant effect on the environment and that an EIR to analyze impacts from development of the Parklands Specific Plan is required (CEQA Guidelines § 15064(f)(1)).

The City should consider preparing an EIR in lieu of the MND for the proposed Specific Plan, or wait until the Community Plan and its EIR are adopted before proceeding with the project.

General Plan EIR

In its July 11, 2005 comment letter regarding the City’s General Plan EIR, LAFCO noted, “Given that the subject EIR does not include an analysis of several of the above noted polices [those found in Government Code Section 56000 et. seq. and in the Ventura LAFCO Commissioner’s Handbook], LAFCO does not consider this EIR adequate for the purposes of any future sphere amendments or annexations unless supplemental analysis is provided.”

In response, additional analysis was added to the EIR, however, due to the general nature of that analysis, the response to comments states, “As specific boundary adjustments are proposed in the future, the City will conduct analysis of applicable Government Code provisions as required by LAFCO.”

The IS/MND does not contain much of the analysis needed by LAFCO in order to make a determination for the annexation. Please refer to the relevant policies and factors that LAFCO must consider contained in Government Code Section 56668 and the Ventura LAFCO Commissioner’s Handbook (available at www.ventura.lafco.ca.gov).

IS/MND Comments

The MND appears deficient in all areas in that it does not consider the cumulative impacts from development of the Community Plan. Also, the IS/MND appears to be deficient as follows:

Section E.7.

- Ventura LAFCo should be listed as a responsible agency.

Project Description

- According to the IS/MND, the existing General Plan designation for the site is Residential Low. The IS/MND states that “the applicant is proposing a specific plan and proposes to rezone the property to T-3.1, T3.2 and T4.6, consistent with the intent of the original zoning for residential development.” However, the majority of the project is not within the City’s boundary. The City cannot “rezone” property which never possessed City zoning. In fact, one of the primary steps in a city annexation is “prezoning” a site in anticipation of an annexation (Government Code § 56375(a)(3)). The prezoning becomes effective once the annexation is finalized. The project description must include the “prezoning” of the currently unincorporated portions of the project site.
- The General Plan land use designation is unclear. The IS/MND refers to the site as being both “residential low” and “neighborhood low”. The FEIR prepared for the General Plan contains maps that identify the site as residential low. However, there is a map in the GP giving the site a “planning designation” of “neighborhood low”. What is the difference between a land use designation and planning designation? What is the difference between “residential low” and “neighborhood low”?
- The Wells Corridor is identified in Chapter 3 of the General Plan. The eastern approximately 200 feet of the site along Wells Road is within the Wells Corridor. The project proposes to revise the boundaries of the Wells Corridor, extending the boundary west to the Brown Barranca, a distance of up to approximately 500 feet (along Telegraph). Because the corridor is established by the General Plan, it would appear that its revision would necessitate an amendment to the General Plan, something not included in the project description.

Land Use

- The IS/MND refers to the site as infill development several times in the analysis of the project. For instance, the Land Use section states, “The proposed specific plan is consistent with the intent of the 2005 General Plan to maximize development in areas of the City where infill is possible, prioritizing infill development.” and “The proposed Parklands Specific Plan is consistent with the vision of the General Plan as the Parklands project would create an urban infill neighborhood” However, the overwhelming majority site is not part of the City’s “infill first” strategy nor does it meet the definition of “infill” contained in CEQA.

On page 3-18 of the general plan under the heading *Districts, Corridors, and Neighborhood Centers* it states, “These Districts, Corridors, and Neighborhood

Centers make up the growth priority areas as the City's "Infill First" strategy (See Figure 3-1 Infill Areas)." With the exception of the eastern 200 feet of the site which is included in the Wells Road corridor, the majority of the subject site is not among the sites identified as infill on Table 3.1. Therefore, it appears that the majority of the site is not part of the city's infill first strategy.

- The IS/MND states that if the project were to be inconsistent with the Wells-Saticoy Community Plan, it would result in a potentially significant impact. As previously noted, consistency with the Community Plan which is not yet adopted cannot be determined. The inability to conclude that the project is consistent with the Community Plan leaves open the possibility that it ultimately may be inconsistent with the Community Plan, a potentially significant impact.
- It should be clarified in the IS/MND that General Plan Action 3.25 does not apply to the project as a whole, but only to the portion along Wells Road that is currently within the "corridor" designation as indicated in Figures 3.1 and 3.5 (corridors identified in the General Plan are a priority growth area according to Action 3.25). Action 3.25 states that second priority growth areas are those undeveloped lands for which a community plan has been prepared inside city limits. The majority of the site is not within city limits and a community plan has not been adopted for it. Therefore, it appears that the majority of the site is not a priority or secondary growth area and Action 3.25 does not apply to it.

Population and Housing

- The IS/MND states that a proposed project will have a significant impact to population and housing if implementation would cumulatively exceed official regional or local population projections. The IS/MND uses outdated population estimates from 2005. According to the Department of Finance, the City's population as of January 2007 was 107,490. SCAG's Regional Transportation Plan assumes an annual growth rate of .78% for Ventura. Therefore, the City's January 2008 population can be estimated at 108,328. According to the City's Website, as of January 2008, there were over 2,700 units either approved or pending, with a total projected population of over 6,800. When combined, the projected population of existing, approved, and pending units is over 115,100. If the 2010 population is predicted at 116,959, as indicated in the IS/MND, there is a difference of only about 1,850 people, or about 700 units. However, the IS/MND fails to consider the hundreds of reasonably foreseeable dwelling units that are, or will be, proposed on other properties, such as the nearby Hansen Trust property. Cumulatively, it appears that SCAG's official population/housing projections will be exceeded, a significant impact.

Public Services

Question L of the Initial Study asks whether the project will cause any adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services. In response, the IS/MND concludes that there will be a less than significant impact to schools.

However, the IS/MND goes on to explain that this project will cause the local elementary school (Saticoy Elementary) to exceed its operating capacity, increasing capacity from 91% to 115%. Yet the IS/MND does not identify this as an adverse impact and provides no mitigation. Exceeding capacity may very well decrease acceptable service ratios and performance objectives. It may very well necessitate the need for additional classroom space and cumulatively, a new school. This appears to be a potentially significant impact.

The need for a new school in the vicinity is acknowledged in the Wells Saticoy Community Plan, of which this site is a part. However, separating this project from the Community Plan improperly minimizes the cumulative impacts it will have on local schools. This is an example of why CEQA prohibits project splitting.

In addition, Section 3.1.6 of the Ventura LAFCO Commissioner's Handbook discusses school capacity. LAFCO policies state that it will not favor any change of organization or reorganization where any affected school certifies that there is not sufficient existing school capacity or that there will not be sufficient capacity at the time of development

Again, thank you for the opportunity to review the document. Please do not hesitate to contact me should you have any questions.

Sincerely,



Kai Luoma, AICP
Senior Analyst

CC: Supervisor Steve Bennett, District 1

Native American Contacts

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March 24, 2008

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Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2008031082 Parklands Specific Plan and Tentative Map; Ventura County.

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March 24, 2008

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2008031082 Parklands Specific Plan and Tentative Map; Ventura County.

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



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APR 14 2008

Community Development
PLANNING DIVISION

April 10, 2008

Iain Holt
City of Ventura
P.O. Box 99
Ventura, CA 93002-0099

Dear Iain Holt:

Re: SCH# 2008031082; Parklands Specific Plan and Tentative Map

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-Mit Neg Dec* from the State Clearinghouse. RCES staff is concerned that the proposed project at Telegraph Road and Wells Road will cause an increase in congestion at the nearby Sand Canyon Road (DOT# 745890W, lat=34.282166, long=-119.148327) crossing.

Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad right-of-way.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians.

If you have any questions, please contact Varouj Jinbanchian, Senior Utilities Engineer at 213-576-7081, vsj@cpuc.ca.gov, or me at rxm@cpuc.ca.gov, 213-576-7078.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosa Muñoz".

Rosa Muñoz, PE
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

C: Dan Miller, UP



"Citrus Capital of the World"

City of Santa Paula

970 Ventura Street • Santa Paula, California • Mailing Address: P.O. Box 569 • 93061 • Phone: (805) 525-4478 • Fax: (805) 525-6278

April 7, 2008

City of Ventura Planning Division
Iain Holt, Associate Planner
501 Poli Street, Room 117
Ventura, CA 93002

Re: Draft Mitigated Negative Declaration for Westwood Communities Corporation project at Southwest corner of Telegraph and Wells Roads, Ventura

Dear Mr. Holt:

Thank you for the opportunity to review Draft Mitigated Negative Declaration (MND) for the aforementioned project. While the draft MND is rather extensive in its analysis of potential environmental impacts resulting from the proposed project, the City of Santa Paula submits the following comments for consideration.

1. Initial Study page 1, Item D. Project Description –provide clarification whether or not the proposed project involves land covered by SOAR and is within a Greenbelt.
2. Initial Study page 9, Impact Discussion, 2nd paragraph-this paragraph describes the current land use of the project plan area. However, based upon the County zoning designation of R-1, clarify under what circumstances this land can be under agricultural production and zoned as R-1.
3. Initial Study page 10, Wells Road, 2nd sentence-clarify source from which the statement comes for qualifying "The visually sensitive designation for Wells Road...." i.e., has the City officially designated Wells Road in the Comprehensive Plan as visually sensitive?
4. Initial Study page 77, Global Warming/Green House Gases discussion-While this section mentions Green House Gases (GHG) an expanded discussion/definition of this issue is warranted coupled with a discussion of EPA efforts to combat GHG and California Regulations such as Executive Order S-3-05 (2005). Attached is suggested text used in a recent FEIR.

Sincerely,


Judith Johnduff, AICP
Associate Planner

Attachment: GHG text

Toxic Air Contaminants

In addition to pollutants that have a designated ambient standard, or criteria pollutants, California has aggressive requirements for reducing non-criteria pollutants, also known as toxic air contaminant (TAC) emissions. TAC emissions do not have air quality standards that specify levels considered safe for everyone. Exposure to TACs can increase the risk of contracting cancer or result in other deleterious health effects which target such systems as cardiovascular, reproductive, hematological, or nervous. Effects may be both chronic (i.e., of long duration) or acute (i.e., severe but of short duration). Local concentrations can pose a significant health risk and are termed “toxic hot spots.” The regulatory approach used to control toxic air contaminant levels relies on a quantitative risk assessment process, rather than on ambient air concentrations, to determine allowable emissions from the source.

4.5.1.4 Global Climate Change

Global climate change is generally defined as a change in the long-term weather patterns that characterize the regions of the world.¹ The term “weather” refers to the short-term (daily) changes in temperature, wind, and/or precipitation of a region (Merritts *et al.* 1998). Weather is influenced by the sun, which heats the Earth’s atmosphere and its surface causing air and water to move around the planet. The result can be as simple as a slight breeze or as complex as the formation of a hurricane.

The greenhouse effect is a warming process that balances the Earth’s cooling processes.² During this process, sunlight passes through Earth’s atmosphere as short-wave radiation. Some of the radiation is absorbed by the planet’s surface. As the Earth’s surface is heated, it emits long wave radiation toward the atmosphere. In the atmosphere, some of the long wave radiation is absorbed by certain gases called greenhouse gases. Greenhouse gases include but are not limited to carbon dioxide (CO₂), chlorofluorocarbons (CFCs), methane (CH₄), nitrous oxide (N₂O), tropospheric ozone (O₃), and water vapor.³ Each molecule of greenhouse gas becomes energized by the long wave radiation. The energized molecules of gas then emit heat energy in all directions. By emitting heat energy toward Earth, greenhouse gases increase the Earth’s temperature.

The greenhouse effect is a natural occurrence that maintains Earth’s average temperature at approximately 16 degrees Celsius.⁴ The greenhouse effect is a necessary phenomenon that retains most of the Earth’s heat from escaping to the outer atmosphere. Without the natural greenhouse effect, the Earth would be approximately 33 degrees Celsius cooler and the existence of life on this planet would not be possible.⁵ However, too many greenhouse gases in Earth’s atmosphere could increase the greenhouse effect, which could result in an increase in mean global temperatures (i.e., “global warming”), as well as changes in precipitation patterns.

In the last 200 years, scientists have observed an unprecedented increase in the rate of global warming.⁶ The recent global warming trend has coincided with the Industrial Revolution, which has resulted in release of substantial amounts of greenhouse gases from deforestation and use of fossil fuels.⁷ Recently, controlling atmospheric CO₂ levels, which account for approximately 55 percent of the greenhouse effect,

¹ Intergovernmental Panel on Climate Change. “Stabilization of Atmospheric Greenhouse Gases: Physical, Biological and Socio-Economic Implications - IPCC Technical Paper III.” February 1997.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

⁵ Jain, Ravi et al. Environmental Assessment. 2nd ed. McGraw-Hall: 2002, New York.

⁶ Jain, Ravi et al. Environmental Assessment. 2nd ed. McGraw-Hall: 2002, New York.

⁷ *Ibid.*

has been the primary focus of global warming prevention policy.⁸ The United States alone accounts for nearly one-fourth of the world's generation of CO₂.⁹ California is a substantial contributor of global greenhouse gases as it is the second largest contributor in the U.S. and sixteenth largest contributor in the world, emitting over 400 million tons of CO₂ per year.¹⁰

Global Climate Change Regulations

Voluntary greenhouse gas emission reduction programs are being implemented on an international level. In 1988, the United Nations established the Intergovernmental Panel on Climate Change to evaluate the impacts of global warming and to develop strategies that nations could implement to curtail global climate change. In 1992, the United States joined other countries around the world in signing the United Nations' Framework Convention on Climate Change agreement with the goal of controlling greenhouse gas emissions, including methane. As a result, the Climate Change Action Plan was developed to address the reduction of greenhouse gases in the United States. The plan consists of more than 50 voluntary programs. The Kyoto Protocol of the United Nations Framework Convention on Climate Change is an amendment to the international treaty on climate change, assigning mandatory emission limitations for the reduction of greenhouse gas emissions to the signatory nations. The objective of the protocol is the "stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. As of June 2007, a total of 172 countries and other governmental entities have ratified the agreement.

Federal and Local Regulations

Currently, there are no federal or local regulations that address GHG emissions. However, in *Massachusetts v. Environmental Protection Agency*, ___ U.S. ___, 127 S. Ct. 1438 (2007), the United States Supreme Court found that the U.S. Environmental Protection Agency has statutory authority under the Clean Air Act to regulate "greenhouse gas" emissions (including CO₂ emissions) from new motor vehicles.¹¹ In response to this court case's decision, the EPA is drafting regulations that address GHG emissions.

State Regulations

California regulations seek to reduce the effects of global warming in statutes and Executive Orders: Exec. Order S-3-05; Health and Safety Code §§ 38500, *et seq.*; and Health and Safety Code §§ 42823, 43018.5. These regulations recognize global warming as a significant threat to California and therefore certain guidelines must be enacted to limit the production of greenhouse gases. Executive Order S-3-05 (2005) states that:

- By 2010 Greenhouse gases must be reduced to 2000 emission levels
- By 2020 Greenhouse gases must be reduced to 1990 emission levels
- By 2050 Greenhouse gases must be reduced to 80% below 1990 levels

⁸ *Ibid*

⁹ *Ibid*.

¹⁰ Hendrix, Michael et al. "Recommendations by the Association of Environmental Professionals (AEP) on How to Analyze Greenhouse Gas Emissions and Global Climate Change in CEQA Documents." 5 Mar. 2007.

¹¹ Abreu, Heidi and Miguel Loza. "Massachusetts v. Environmental Protection Agency (05-1120)." *The Legal Information Institute, Cornell Law School*. 2007. 5 Aug. 2007 <http://www.law.cornell.edu/supct/cert/05-1120.html>

The Order also states that the California Environmental Protection Agency will have oversight of regulation. Furthermore, starting January 2006 and bi-yearly afterwards, the CalEPA must prepare science reports of the potential impact global warming may have on California's economy and environment.

The California Global Warming Solutions Act of 2006 (Health and Safety Code §§ 38500, *et seq.*) became effective on January 1, 2007. The Act seeks to reduce California's greenhouse gas emissions to 1990 levels by 2020. This legislation represents the first enforceable statewide program in the U.S. to limit all greenhouse gas emissions from major sources that includes penalties for non-compliance. Primarily concerned with emissions of CO₂, it requires the California Air Resources Board (ARB) to establish a program for statewide greenhouse gas emissions reporting and to monitor and enforce compliance with this program. The Act authorizes ARB to adopt market-based compliance mechanisms including cap-and-trade, and allows a one-year extension of the targets. Under the Act, greenhouse gases do not include ozone-depleting substances, such as the freons used in air conditioning systems and refrigeration units, which are pollutants targeted for reduction because of their potential harm to the upper (protective) atmospheric ozone layer.

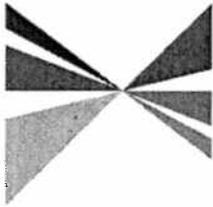
The following regulations would apply to the proposed project:

- Discrete early action GHG emission reduction measures Air Resources Board publicly available issued June 2007.
- Title 17, California Code of Regulations, Subchapter 10, Article 1, sections 95100 will require the reporting and verification of greenhouse gas emissions from greenhouse gas emissions sources in California. This article is designed to meet the requirements of section 38530 of the Health and Safety Code, the California Global Warming Solutions Act of 2006.
- We will use the comments received to prepare a proposed regulation and staff report, to be released on October 19, 2007, for a formal 45 day comment period. The board will consider the October 19th staff proposal at its December 6-7, 2007, meeting.
- By January 1, 2008 the state will determine the 1990 GHG emission levels and set that as a baseline for the 2020 emission limit.
- On or before January 1, 2011 the state will adopt quantifiable, verifiable, and enforceable emission reductions aimed to decrease GHG emissions to the 1990 baseline by 2020. These will come into effect by January 1, 2012 by the latest. The reductions measures may include direct reduction methods, alternative compliance mechanisms, and various incentives.

Health and Safety Code §§ 42823 and 43018.5 require the Air Resources Board to adopt regulations that address greenhouse gases emitted by motor vehicles in an effort to reduce emissions. In summary these sections require:

- The ARB not later than January 1, 2005 to develop and adopt regulation to achieve the most feasible and cost-effective reduction of GHGs emitted by motor vehicles.
- ARB regulations do not go into effect before January 1, 2006 and furthermore the regulations must only apply to vehicle 2009 models or later.

The California Climate Action Registry must consult with the ARB to develop procedures and protocols for the reduction of greenhouse gases. In regards to the proposed project vehicles in the construction phase will mostly likely not be affected by this regulation. Additionally, this will most likely not affect the proposed project on a local level.



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Jon Edney, El Centro

Energy and Environment
Debbie Cook, Huntington Beach

Transportation and Communications
Alan D. Wapner, Ontario

March 26, 2008

Mr. Iain Holt
City of San Buenaventura, Planning Division
501 Poli St.
Ventura, CA 93002
(805) 654-7752

RE: SCAG Comments on the Notice of Intent to Adopt a Negative Declaration for the Parklands Specific Plan, Case No. Annexation A-327, General Plan Amendment AO-227, Specific Plan SP-6, Zone Change Z-916, Tentative Tract Map S-5632, Planned Development Permit PD-840, Design Review ARB-2985, EIR-2459 – SCAG No. I20080156

Dear Mr. Holt,

Thank you for submitting the Notice of Intent to Adopt a Negative Declaration for the Parklands Specific Plan, Case No. Annexation A-327, General Plan Amendment AO-227, Specific Plan SP-6, Zone Change Z-916, Tentative Tract Map S-5632, Planned Development Permit PD-840, Design Review ARB-2985, EIR-2459 – SCAG No. I20080156, to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082.

SCAG staff has reviewed the aforementioned Notice of Intent to Adopt a Mitigated Negative Declaration and has determined that the proposed project is regionally significant per the California Environmental Quality Act (CEQA) Guidelines (Section 15125(d) and 15206). CEQA requires that EIRs discuss any inconsistencies between the proposed project and applicable general plans and regional plans (Section 15125 [d]). If there are inconsistencies, an explanation and rationalization for such inconsistencies should be provided. However, a regional discussion is not required to be contained in a Negative Declaration and none exists here. The project consists of an Annexation, Specific Plan, and Zone Change, a subdivision of 216 single-family residential dwellings and 283 courtyard and town home condominiums, commercial and community buildings, and a park area. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies.

Policies of SCAG's Regional Comprehensive Plan and Guide (RCPG), Regional Transportation Plan (RTP), and Compass Growth Vision (CGV) that may be applicable to your project are outlined in the attachment. The RCPG, RTP and CGV can be found on the SCAG web site at: <http://scag.ca.gov/igr>.

Please provide a minimum of 45 days for SCAG to review the Negative Declaration and associated plans when these documents are available. If you have any questions regarding the attached comments, please contact Christine Fernandez at (213) 236-1923. Thank you.

Sincerely,

Jacob Lieb, Program Manager
Environmental Planning Division

DOCS#144835v1

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION FOR THE PARKLANDS SPECIFIC PLAN, CASE NO. ANNEXATION A-327, GENERAL PLAN AMENDMENT AO-227, SPECIFIC PLAN SP-6, ZONE CHANGE Z-916, TENTATIVE TRACT MAP S-5632, PLANNED DEVELOPMENT PERMIT PD-840, DESIGN REVIEW ARB-2985, EIR-2459 – SCAG NO. I20080156,

PROJECT DESCRIPTION

The proposed project consists of an Annexation, Specific Plan and Zone Change from County Single Family (R-1) and City Single Family (R-1-1AC) to form-based code transect zones T3.1, T3.1 and T4.6 and associated overlays zones and a subdivision of a 66.7-acre site for 216 single-family residential dwellings, 283 courtyard and town home condominiums, 25,000 square feet of commercial, 6,560 square feet of community building and approximately 11.62 acres of open space and park area. The project would involve the annexation of three parcels currently under agricultural production from the County to the City. Accompanying the project is a General Plan Amendment changing Roadway Classification Plan of the 2005 General Plan for Telegraph Road between Saticoy Avenue to Wells Road and Wells Road between Telegraph Road and Carlos Street from secondary arterial with four travel lanes to collector with two travel lanes.

The project is located on the Southwest corner of Telegraph Road and Wells Road, City and County of Ventura. The specific plan area is bounded by Telegraph Road to the north, Wells Road to the east, Blackburn Road and State Route 126 (SR 126) on the south.

CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE POLICIES

The **Growth Management Chapter (GMC)** of the Regional Comprehensive Plan and Guide (RCPG) contains the following policies that are particularly applicable and should be addressed in the proposed project.

Regional Growth Forecasts

The project should reflect the most current SCAG forecasts, which are the 2004 RTP (April 2004) Population, Household and Employment forecasts. The forecasts for your region, subregion, and cities are as follows:

Adopted SCAG Regionwide Forecasts¹

	2010	2015	2020	2025	2030
Population	19,208,661	20,191,117	21,137,519	22,035,416	22,890,797
Households	6,072,578	6,463,402	6,865,355	7,263,519	7,660,107
Employment	8,729,192	9,198,618	9,659,847	10,100,776	10,527,202

Adopted Ventura Council of Governments (VCOG) Forecasts¹

	2010	2015	2020	2025	2030
Population	865,149	897,295	929,181	960,025	989,765
Households	275,352	289,318	303,596	317,831	332,109
Employment	381,680	403,000	424,470	445,193	465,466

Adopted Unincorporated - VCOG Forecasts¹

	2010	2015	2020	2025	2030
Population	98,122	101,425	104,680	107,817	110,827
Households	32,143	33,542	34,976	36,406	37,836
Employment	45,557	47,063	48,583	50,048	51,480

Adopted City of Ventura Forecasts ¹

	2010	2015	2020	2025	2030
Population	116,959	119,247	121,488	123,645	125,705
Households	44,053	45,355	46,696	48,034	49,381
Employment	62,703	65,237	67,787	70,238	72,627

1. The 2004 RTP growth forecast at the regional, county and subregional level was adopted by RC in April, 2004. City totals are the sum of small area data and should be used for advisory purposes only.

The Draft 2008 RTP Baseline Growth Forecast (built upon subregion/local jurisdiction input) was released on November 1, 2007 by the Community, Economic and Human Development Committee (CEHD) along with the Draft 2008 RTP and RCP for public review and comment. You may wish to review these forecasts to determine compatibility with any Project Forecasts. The following 2035 forecasts are provided for your reference for the City of Ventura, VCOG (Unincorporated and COG), and SCAG Region. The forecasts for the intervening years (2010, 2015, 2020, 2025, and 2030) will be included in the 2008 RTP Baseline Growth Forecast.

2035 Forecasts¹	Population	Households	Employees
City of Ventura	133,638	51,677	85,379
VCOG – Unincorporated Area	114,035	35,928	48,506
VCOG	1,013,756	330,189	463,227
SCAG Region	24,056,000	7,710,000	10,287,000

1. Source: Draft 2008 RTP Baseline Growth Forecast
(http://scag.ca.gov/forecast/downloads/RTP_baseline_forecasts_1001.xls)

- 3.01** *The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies shall be used by SCAG in all phases of implementation and review.*
- 3.03** *The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.*

GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL STANDARD OF LIVING

The Growth Management goals to develop urban forms that enable individuals to spend less income on housing cost, that minimize public and private development costs, and that enable firms to be more competitive, strengthen the regional strategic goal to stimulate the regional economy. The evaluation of the proposed project in relation to the following policies would be intended to guide efforts toward achievement of such goals and does not infer regional interference with local land use powers.

- 3.04** *Encourage local jurisdictions' efforts to achieve a balance between the types of jobs they seek to attract and housing prices.*
- 3.05** *Encourage patterns of urban development and land use which reduce costs on infrastructure construction and make better use of existing facilities.*
- 3.06** *Support public education efforts regarding the costs of various alternative types of growth and development.*
- 3.09** *Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.*
- 3.10** *Support local jurisdictions' actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.*

GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL QUALITY OF LIFE

The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

- 3.11 *Support provisions and incentives created by local jurisdictions to attract housing growth in job-rich subregions and job growth in housing-rich subregions.*
- 3.12 *Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the # of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.*
- 3.13 *Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible to transit through infill and redevelopment.*
- 3.14 *Support local plans to increase density of future development located at strategic points along the regional commuter rail, transit systems, and activity centers.*
- 3.15 *Support local jurisdictions' strategies to establish mixed-use clusters and other transit-oriented developments around transit stations and along transit corridors.*
- 3.16 *Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.*
- 3.17 *Support and encourage settlement patterns, which contain a range of urban densities.*
- 3.18 *Encourage planned development in locations least likely to cause adverse environmental impact.*
- 3.19 *Support policies and actions that preserve open space areas identified in local, state, and federal plans.*
- 3.20 *Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals.*
- 3.21 *Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.*
- 3.22 *Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.*
- 3.23 *Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.*

GMC POLICIES RELATED TO THE RCPG GOAL TO PROVIDE SOCIAL, POLITICAL, AND CULTURAL EQUITY

The Growth Management goals to develop urban forms that avoid economic and social polarization promotes the regional strategic goal of minimizing social and geographic disparities and of reaching equity among all segments of society. The evaluation of the proposed project in relation to the policy stated below is intended guide direction for the accomplishment of this goal, and does not infer regional mandates and interference with local land use powers.

- 3.24 *Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment.*

- 3.27 *Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.*

AIR QUALITY CHAPTER

The **Air Quality Chapter** core actions related to the proposed project include:

- 5.07 *Determine specific programs and associated actions needed (e.g., indirect source rules, enhanced use of telecommunications, provision of community-based shuttle services, provision of demand management based programs, or vehicle-miles-traveled/emission fees) so that options to command and control regulation can be assessed.*
- 5.11 *Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional, and local) consider air quality, land use, transportation, and economic relationships to ensure consistency and minimize conflicts*

OPEN SPACE AND CONSERVATION CHAPTER

The **Open Space and Conservation Chapter** goals related to the proposed project include:

- 9.01 *Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region.*
- 9.02 *Increase the accessibility to open space lands for outdoor recreation.*
- 9.03 *Promote self-sustaining regional recreation resources and facilities.*
- 9.04 *Maintain open space for adequate protection to lives and properties against natural and manmade hazards.*
- 9.05 *Minimize potentially hazardous developments in hillsides, canyons, areas susceptible to flooding, earthquakes, wildfire and other known hazards, and areas with limited access for emergency equipments.*
- 9.08 *Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.*

WATER QUALITY CHAPTER RECOMMENDATIONS AND POLICY OPTIONS

The **Water Quality Chapter** goals related to the proposed project include:

- 11.02 *Encourage "watershed management" programs and strategies, recognizing the primary role of local governments in such efforts.*
- 11.07 *Encourage water reclamation throughout the region where it is cost-effective, feasible, and appropriate to reduce reliance on imported water and wastewater discharges. Current administrative impediments to increased use of wastewater should be addressed.*

REGIONAL TRANSPORTATION PLAN

The **2004 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

- RTP G1** Maximize mobility and accessibility for all people and goods in the region.
- RTP G2** Ensure travel safety and reliability for all people and goods in the region.
- RTP G3** Preserve and ensure a sustainable regional transportation system.
- RTP G4** Maximize the productivity of our transportation system.
- RTP G5** Protect the environment, improve air quality and promote energy efficiency.
- RTP G6** Encourage land use and growth patterns that complement our transportation investments.

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

- GV P1.1** Encourage transportation investments and land use decisions that are mutually supportive.
- GV P1.2** Locate new housing near existing jobs and new jobs near existing housing.
- GV P1.3** Encourage transit-oriented development.
- GV P1.4** Promote a variety of travel choices

Principle 2: Foster livability in all communities.

- GV P2.1** Promote infill development and redevelopment to revitalize existing communities.
- GV P2.2** Promote developments, which provide a mix of uses.
- GV P2.3** Promote "people scaled," walkable communities.
- GV P2.4** Support the preservation of stable, single-family neighborhoods.

Principle 3: Enable prosperity for all people.

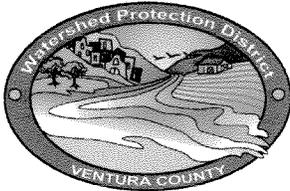
- GV P3.1** Provide, in each community, a variety of housing types to meet the housing needs of all income levels.
- GV P3.2** Support educational opportunities that promote balanced growth.
- GV P3.3** Ensure environmental justice regardless of race, ethnicity or income class.
- GV P3.4** Support local and state fiscal policies that encourage balanced growth
- GV P3.5** Encourage civic engagement.

Principle 4: Promote sustainability for future generations.

- GV P4.1** Preserve rural, agricultural, recreational, and environmentally sensitive areas.
- GV P4.2** Focus development in urban centers and existing cities.
- GV P4.3** Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.
- GV P4.4** Utilize "green" development techniques

CONCLUSION

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.



VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009
Sergio Vargas, Deputy Director - 805 650-4077

RECEIVED

APR 16 2008

Community Development
PLANNING DIVISION

DATE: April 15, 2008

TO: City of San Buenaventura
Iain Holt, Project Contact

FROM: Sergio Vargas, Deputy Director *S.V.*

SUBJECT: Notice of Intent to Adopt a
Mitigated Negative Declaration
Parklands Specific Plan

A Draft Initial Study and Mitigated Negative Declaration (MND) for Parklands Specific Plan were submitted to the District for review and comment. The package did not contain sufficient information for review. Subsequently, two additional reports were obtained from the City of Ventura:

- Brown Barranca Hydraulic Study (Henderson Road to Telegraph Road) prepared by Omrun Engineering, December 2006
- Parklands Development, TTM No. 5632, Detention Basin prepared by Harks & Associates, December 28, 2006

The Detention Basin study was intended to mitigate the hydrologic impacts of the development.

The Brown Barranca Hydraulic Study proposes an interim improvement and future improvements. The interim improvement will replace the existing double 8'x6' RCB at Blackburn Road with a double 12' x 6' RCB and extend 700 feet upstream. This will reduce the 100-year floodplain upstream of HWY 126 but not eliminate it. Future improvements will widen the open channels and box culverts downstream from Blackburn Road to Henderson Road removing bottlenecks at HWY 126. The proposed channel and box culvert improvements in this study are smaller in size comparing with those proposed by HDR's Brown Barranca study, partly because the 700 feet box culvert extension has created supercritical flow conditions within the improved channels. For both interim and future conditions improvements, flow velocity leaving the development site will be much higher than what it is at existing conditions. No flow velocity mitigation measures have been proposed under this study/development plan. Considering the high potential of erosion in downstream channels, the developer still bears the responsibility to mitigate the higher erosion potential of downstream channels.

The following summarizes the Watershed Protection District comments:

- On page 71 of the MND, item O Water: 1. Change absorption rates, drainage patterns or the rate and amount of surface runoff? Potentially Significant Unless Mitigated should be checked instead of Less Than Significant Impact. This change reflects the needs for onsite detention facilities to mitigate potential increase of surface runoff.
- In the Detention Basin plan prepared by Hawks & Associates, the conceptual plan of the onsite detention basin considers the development as one piece of land with a drainage area of 67 acres while in reality the development is composed of two pieces of land separated by Brown Barranca: a 54-acre portion located on south of the barranca and a 13-acre portion on the north bank of the Brown Barranca. Therefore, the basin needs to be design in accordance with the physical conditions of the development site.
- A conceptual plan & profile drawing is required to show: 1) the footprint, the location and the configuration of the detention basin, 2) the low-flow bypass channel (25 cfs), 3) the connection to Brown Barranca, and 4) the inlet and outlet structures.
- At existing conditions, the floodplain area upstream of the Hwy 126 acts as a natural detention facility with certain storage volume. At the interim conditions (with 700 feet culvert installed), the size of the floodplain will be reduced and so is its natural detention function. The onsite detention basin will have to compensate the loss of the natural detention volume.
- A comparison of pre- and post-development VCRAT hydrology for the whole Brown Barranca watershed is required in order to evaluate the effectiveness of the mitigation measures.
- The Brown Barranca Hydraulic Study provided two sets of HEC-RAS results for interim condition floodplain analysis, one for Subcritical Flow run and another for Mixed Flow. Mixed Flow run is more appropriate considering the physical conditions. However, the HEC-RAS run excluded the 700 feet box culvert section from Sta. 9063 to 8413 resulting in a discontinuity in flow velocity from 23 feet per second (fps) at 9063 to 7 fps at 8413. Because of this discontinuity, the higher flow velocity leaving the development site is not properly modeled. The interim condition hydraulics can be analyzed using either HEC-RAS or WSPG.

End of Text

Welcome! Please Sign In.

Name

Address/e-mail

Pat Pillow

11291 Casa LA

11a 93004

dickpa@AOL.com

DANIEL CORMODE

186 GORRION AVE

VENTURA, CA 93004

dcormode@sbcglobal.net



CITY OF VENTURA
Parklands Specific Plan
Environmental Review Comment Form

This form is provided for your convenience to make written comments regarding potential impacts on the community you believe may result from the proposed Parklands Specific Plan to be considered by the City of Ventura in determining the issues to be addressed in the Environmental Impact Report (EIR) the City will be preparing on this proposed project. You may use this form in addition to, or instead of, making oral comments at this public meeting. After filling out the form, please leave it in the designated box prior to leaving this meeting or, prior to October 31, 2008, mail it to:

Iain Holt, Senior Planner
City of San Buenaventura (Ventura)
501 Poli Street
PO Box 99
Ventura, CA 93002
Fax: (805) 653-0763
Email: IHolt@ci.ventura.ca.us

Please also provide your name and address so you can receive additional information on this project as the City's review progresses. Please provide your comments below:

Traffic is a major concern - I feel it will affect everyone's quality of life who lives in the Telegraph/Wells area - much too dense. Buildings are too high - being built site on the sidewalk is not appealing at all. What will be the access to this property on Telegraph? on Wells? How can you have a linear park along a balconca - does not seem really like a park - what about the public

(see over)

Name: Pat Pillow

Address: 11291 Casa St

Ventura 93004

Please attach additional sheets if necessary

Does this project have farm workers paying -
affordable - low income.

How can you narrow well & telegraph
where are all the cars to go?

28 October 2008

From: East Ventura Community Council
11178 Carlos St.
Ventura, CA 93004

To: City of San Buenaventura
PO Box 99
Ventura, CA 93002
Attn: Iain Holt, Acting Senior Planner

Subj: CITY OF SAN BUENAVENTURA ENVIRONMENTAL IMPACT REPORT,
Case No. EIR-2459, PARKLANDS

Ref	Description
	Notice of Scoping Meeting, Draft Focused Environmental Report, Parklands Specific Plan and Tentative Tract Map, EIR-2459 dated 15 Oct 2008.
(a)	
(b)	Planning & Development Part 01 Planned Projects 2008 08 08.ppt
(c)	Planning & Development Part 02 Schools 2008 08 09.ppt
(d)	Planning & Development Part 03 Water Supply 2008 07 03.ppt
(e)	Planning & Development Part 04 Walkability & Retail 2008 07 04.ppt
(f)	Planning & Development Part 05 Employment 2008 07 15.ppt
(g)	Planning & Development Part 06 Traffic 2008 09 01.ppt
(h)	Planning & Development Part 07 Parking 2008 07 05.ppt
(i)	Planning & Development Part 08 Public Transportation - Bus 2008 07 06.ppt
(j)	Planning & Development Part 09 Circulation 2007 11 09.ppt
(k)	Planning & Development Part 10A Public Safety - Fire Department 2008 10 28.ppt
(l)	Planning & Development Part 10B Public Safety - Police Department 2008 07 06.ppt
(m)	Planning & Development Part 11 Neighborhood Compatibility 2007 11 09.ppt
(n)	Planning & Development Part 12 Land Use Changes 2007 11 09.ppt
(o)	Planning & Development Part 13 Specific & Community Plans 2007 11 09.ppt
(p)	Planning & Development Part 14 Historic Buildings 2007 11 09.ppt
(q)	Planning & Development Part 15 Notice of Preparation Initial Studies 20071110.ppt
(r)	Planning & Development Part 17 New Urbanism Concepts 2008 07 15.ppt
(s)	Planning & Development Part 20 Street Widths & Setbacks 2008 07 15.ppt
(t)	Planning & Development Part 21 Journey to Work 2008 07 15.ppt

- (u) Planning & Development Part 22 Economic Impact 2008 07 22.ppt
Planning & Development Part 23 Public Transportation - Rail 2008 07 06.ppt
- (v) 06.ppt
- (w) Planning & Development Part 24 Viewshed Protection.ppt
- (x) Planning & Development Part 25 Retail Sales 2008 07 12.ppt
- (y) Planning & Development Part 26 - Cumulative Impact.ppt
Planning & Development Part 27 Stormwater Treatment 2008 07 15.ppt
- (z) 15.ppt
Planning & Development Part 28 Brown Barranca Spillover 2008 06 05.ppt
- (aa) 05.ppt
Planning & Development Part 29 Architectural and Cultural 2008 07 13.ppt
- (ab) 13.ppt
- (ac) Planning & Development Part 30 Drainage 2008 05 24.ppt
- (ad) Planning & Development Part 31 Hazards & Soils 2008 04 04.ppt
Planning & Development Part 32 Expected Neighborhood Growth 2008 08 08.ppt
- (ae) 2008 08 08.ppt
- (af) Planning & Development Part 33 Covering 101 2008 07 20.ppt
- (ag) Planning & Development Part 34 - Greening 2008 07 20.ppt
- (ah) Planning & Development Part 35 Where Does It Stop 2008 07 21.ppt
Planning & Development Part 37 Future Traffic After SOAR 2008 09 19.ppt
- (ai) 19.ppt
- (aj) Planning & Development Part 38 Swales 2008 09 28.ppt

Encl: (1) Compact Disc (CD) with Files

1. Reference (a) is an announcement of a Draft Focused Environmental Report Scoping Meeting for the Parklands Specific Plan and Tentative Tract Map, EIR-2459.
2. Comments to the subject document are forwarded in the form of PowerPoint Presentations which identify issues and deficiencies in reference (a):
 - A. Reference (b) identifies issues and deficiencies in reference (a) in the discussion of the cumulative environmental impact of proposed residential development on housing and population.
 - B. Reference (c) identifies issues and deficiencies in reference (a) in the discussion of the cumulative environmental impact of proposed residential development on schools such as: Exceeding capacity; fiscal impacts on the public, Site Selection Study; compatibility with California State Department of Education Site Selection Criteria; and lack of a planned future school site.
 - C. Reference (d) identifies issues and deficiencies in reference (a) in the discussion of the cumulative environmental impact of proposed residential development on the water supply including: non-compliance with CEQA guidelines, drought conditions and ; demonstrations of the aquifers to meet future requirements.
 - D. Reference (e) identifies issues and deficiencies in reference (a) in the discussion of the cumulative environmental impact of proposed residential

development in the failure to provide the necessary physical and retail/fiscal environment characteristics required to sustain and support a walkable neighborhood.

E. Reference (f)) identifies issues and deficiencies in reference (a) in the discussion of the cumulative environmental impact of proposed residential development on employment including: Housing not being provided near centers of employment; New development being built in housing rich neighborhoods distant from job rich centers; and, the impact on lower income households as a result of inadequate public transit.

F. Reference (g) identifies issues and deficiencies in reference (a) in the discussion of the cumulative environmental impact of proposed residential development on traffic and the need for the automobile due to the distance from employment, educational, retail and medical care facilities.

G. Reference (h) identifies issues and deficiencies in reference (a) in the discussion of the cumulative environmental impact of proposed residential development in the failure to provide adequate parking and the need for automobile transportation.

H. Reference (i) identifies issues and deficiencies in reference (a) in the discussion of the cumulative environmental impact of proposed residential development the failure of the public bus system to meet riders needs due to city topography and the inordinate time required to use bus transportation instead of the automobile.

I. Reference (j) identifies issues and deficiencies in reference (a) in the discussion of the adverse cumulative environmental impact of proposed residential development on circulation: Decreasing street widths, Non-compliance with street standards and narrow arterial streets

J. Reference (k) identifies issues and deficiencies in reference (a) in the discussion of the adverse cumulative environmental impact of proposed residential development on fire safety such as: Non-compliance with the California Fire Code; Increased response time; and, changes in incident rates.

K. Reference (l) identifies issues and deficiencies in reference (a) in the discussion of the adverse cumulative environmental impact of proposed residential development on the police department.

L. Reference (m)) identifies issues and deficiencies in reference (a) in the discussion of the adverse cumulative environmental impact of proposed residential development on neighborhood compatibility: Decreased parcel size; Excessive building heights; Increased density; Adverse impact on scenic corridors; and, narrow road widths.

M. Reference (n) identifies issues and deficiencies in reference (a) in the discussion of the adverse cumulative environmental impact of proposed residential development on land use changes.

N. Reference (o) identifies issues and deficiencies in reference (a) in the discussion of the adverse and incompatible cumulative environmental impact of community plans proposed residential development.

O. Reference (p) identifies issues and deficiencies in reference (a) in the discussion of the environmental impact of residential development on neighboring historic buildings within the Wells-Saticoy community.

P. Reference (q) identifies issues and deficiencies in Initial Studies.

Q. Reference (r) identifies issues and deficiencies in reference (a) in the discussion of the environmental impact of residential development based on new urbanism principles. Specifically discussed are inconsistencies between new urbanism principles and the physical location, economic and demographic characteristics.

R. Reference (s) identifies issues and deficiencies in reference (a) in the discussion of the environmental impact of residential development on: Street Widths; Inhibiting future expansion and neighborhood compatibility.

S. Reference (t) identifies issues and deficiencies in reference (a) in the discussion of the environmental impact of the location of residential development on the journey to work. The distant location of the proposed residential development from employment centers adds an additional 7,599,592 miles of travel for work annually.

T. Reference (u) identifies issues and deficiencies in reference (a) in the discussion of the economic impact of residential development as required by the California Environmental Quality Act (CEQA). The economic impact of the capital improvements to support future residential development is estimated to be \$141,646,193. Furthermore, numerous environmental impact issues are identified in the 2005 General Plan Final EIR (FEIR) without any discussion of the economic/fiscal impact, thereby, precluding citation of the FEIR.

U. Reference (v)) identifies issues and deficiencies in reference (a) in the discussion of the environmental impact of residential development and the inability of rail transportation to meet requirements of the working community.

V. Reference (w) identifies issues and deficiencies in reference (a) in the discussion of the environmental impact of residential development on the viewshed. Not discussed are the impacts of freeway soundwalls and high buildings along the view corridors.

W. Reference (x) identifies issues and deficiencies in reference (a) in the discussion the environmental impact of residential development on retail sales. The expected sales leakage resulting from locating projects distant from the retail centers is estimated to be \$14,739,840 annually.

X. Reference (y) identifies issues and deficiencies in reference (a) in the discussion of the cumulative environmental impact of residential development as required by CEQA Guidelines. Furthermore, the Potential Expansion Areas identified in the 2005 General Plan Final EIR probably do not meet the definitions of a future project as required by CEQA.

Y. Reference (z) identifies issues and deficiencies in reference (a) in the discussion of environmental impact of residential development on stormwater treatment. In addition to that discussed in reference (z), stormwater treatment and 'greening' principles discussed at the 14 July 2008 City Council Meeting are not included.

Z. Reference (aa) identifies issues and deficiencies in reference (a) in the discussion of environmental impact of residential development on Brown Barranca Spillover

AA. Reference (ab) identifies issues and deficiencies in reference (a) in the discussion of environmental impact of residential development on architectural and cultural resources.

AB. Reference (ac) identifies issues and deficiencies in reference (a) in the discussion of environmental impact of residential development on drainage.

AC. Reference (ad) identifies issues and deficiencies in reference (a) in the discussion of environmental impact of residential development on hazards and soils.

AD. Reference (ae) provides tabular data to support the housing and population growth estimates contained in reference (b).

AE. Reference (af) identified issues pertaining to the proposed covering of US 101.

AF. Reference (ag) identified issues pertaining to greening which required addressing.

AG. Reference (ah) identifies issues with future development.

AH. Reference (ai) address issues with future traffic after expiration of the SOAR Initiative.

AI. Reference (aj) addresses issues created with the implementation of swales.

3. Attached are copies of correspondence also related to the above subject.

4. For additional information, please contact Daniel Cormode by telephone at 805-647-4063 or by e-mail at dcormode@sbcglobal.net.

Daniel Cormode, Chairman
Planning & Development Committee

08 April 2008

From: East Ventura Community Council
11178 Carlos St.
Ventura, CA 93004

To: City of San Buenaventura (Ventura)
501 Poli Street
PO Box 99
Ventura, CA 93002
Attn: I. Holt

SubJ: City of San Buenaventura Notice of Intent to Adopt a Mitigated
Negative Declaration, EIR-2459 dated 12 Mar 2008

- Ref: (a) City of San Buenaventura Notice of Intent to Adopt a Mitigated Negative Declaration, EIR-2459 dated 12 Mar 2008
(b) Parklands Draft MND.pdf 03/13/2008 11:22 AM 55,156,409
(c) Parklands NOI.pdf 03/13/2008 11:22 AM 291,195
(d) *Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act. Section 15063. Initial Study*

- Encl: (1) Compact Disk of Files:
Parklands Specific Plan DMND Review - Architectural & Cultural 2008 04 04.pdf
Parklands Specific Plan DMND Review - Density & Land Use 2008 04 06.pdf
Parklands Specific Plan DMND Review - Drainage 2008 04 04.pdf
Parklands Specific Plan DMND Review - Missing Documentation 2008 04 06.pdf
Parklands Specific Plan DMND Review - Hazards & Soils 2008 04 04.pdf
Parklands Specific Plan DMND Review - Mobility 2008 04 04.pdf
Parklands Specific Plan DMND Review - New Urbanism Concepts 2008 04 06.pdf
Parklands Specific Plan DMND Review - Public Safety 2008 04 06.pdf
Parklands Specific Plan DMND Review - Schools 2008 04 06.pdf
Parklands Specific Plan DMND Review - Viewshed 2008 04 06.pdf
Parklands Specific Plan DMND Review - Water Supply 2008 04 06.pdf
General Plan FEIR 2005 Deficiencies - Water Supply Cover Ltr & Encl 2007 05 27.pdf

1. Reference (a) is a City of San Buenaventura Notice of Intent to Adopt a Mitigated Negative Declaration which forwarded references (b) and (c) for review and comment by 16 Apr 2008 stating "The City of Ventura has performed a comprehensive evaluation of the potential impacts for this project in accordance with the State CEQA Guidelines and has determined that there is no substantial evidence the proposed project may have significant effect on the environment". Reference (b) is an electronic copy of a City of Ventura Parklands Specific Plan Draft Initial Study and Mitigated Negative Declaration , dated 12 Mar 2008.

2. All phases of project planning, implementation, and operation must be considered in the Initial Study of the project. Since a lead agency must consider all impacts of a project, consultation provides access to the expertise of other agencies in evaluating a project. In *Sundstrom v. Mendocino* (1988) 202 Cal. App. 3d 296, the court held that "some degree of interdisciplinary consultation may be necessary on an initial study as well as in preparation of an EIR." It also stated that an agency must provide the information it used to reach its conclusions and that a checklist unsupported by data and facts is not sufficient for an adequate Initial Study. The Initial Study shall contain a general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities. Since the proposed project is part of an urban center to be located away from the Victoria Corridor and Downtown Specific Plan area the EIR must discuss the potential economic and social consequences of the project, if the proposed urban center would take business away from the downtown and thereby cause business closures and eventual physical deterioration of the downtown.

3. Furthermore, the Wells-Saticoy Community Plan and associated Initial Study/Environmental Impact Report is under development which will identify future requirements, costs, and mechanisms for funding those requirements has yet to be completed.

4. Comments contained in the files contained in Enclosure (1) demonstrate that the data contained in references (b) and (c) is incomplete and does not contain sufficient information to

demonstrate that the proposed project's technical, economic or environmental impacts have been considered.

5. For additional information, please contact Daniel Cormode by telephone at 805-647-4063 or by e-mail at dcormode@sbcglobal.net.

6. Comments and information contained in Enclosure (1) also applies to the Wells-Saticoy Community Plan Environmental Impact Report.
R/

Daniel Cormode
For W. C. Roderick

From: Daniel Cormode [mailto:dcormode@sbcglobal.net]
Sent: Wednesday, June 04, 2008 7:53 PM
To: 'Hernandez, Nelson'
Cc: 'Cole, Rick'; 'Councilmembers'; 'Rangwala, Kaizer'
Subject: RE: California Environmental Quality Act (CEQA) and Cumulative/Fiscal Impact

Nelson,

I believe the below issues stated in my e-mail dated June 01, 2008 are subject to CEQA and would expect discussion of those issues to be identified, quantified and discussed in all current and future environmental documents developed by the City of San Buenaventura.

To my knowledge, there have been no cumulative physical, environmental or fiscal impact analyses performed to specifically identify and quantify the specific resources and infrastructure requirements nor have the magnitude of the capital or operating expenditures or revenue sources been identified to meet those requirements. The impact of physically planting a dwelling unit in the ground has generally been adequately identified and the specific plans paint a flowery picture of the benefits of new urbanism and smart growth, however, the benefits and related costs have not been quantified nor have requirements and locations for retail, commercial, industrial, manufacturing, educational and public facilities which provide both employment, goods and services have neither been identified or quantified.

Without first identifying and quantifying specific resources and infrastructure requirements and subsequently identifying the capital and operating expenditures and revenues to meet those requirements, the economic or social impact of the proposed project cannot be determined as required by Sections 15021 and 15064 of Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act which are shown below.

Furthermore, specific plans under development cite numerous new urbanism and smart growth principles which supposedly result in a more environmentally friendly project and 'green practices'. If those cited principles truly have a positive impact on the environment, then the environmental analysis should quantify, validate and verify those benefits.

An example of an area of concern is continued development, which creates additional demands on the water supply infrastructure and which if not met, could have an adverse health, safety or economic impact on the public.

Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act

Section 15021. Duty to Minimize Environmental Damage and Balance Competing Public Objectives

(d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives

when the agency decides to approve a project that will cause one or more significant effects on the environment.

15064. Determining the Significance of the Environmental Effects Caused by a Project

(e) Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. For example, if a project would cause overcrowding of a public facility and the overcrowding causes an adverse effect on people, the overcrowding would be regarded as a significant effect

R/

Daniel Cormode
805-647-4063

From: Hernandez, Nelson [mailto:nhernandez@ci.ventura.ca.us]
Sent: Monday, June 02, 2008 1:59 PM
To: Daniel Cormode
Cc: Cole, Rick; Councilmembers; Rangwala, Kaizer
Subject: RE: California Environmental Quality Act (CEQA) and Cumulative/Fiscal Impact

Dan,
Thank you for your email. My comments are below in blue.

-----Original Message-----
From: Daniel Cormode [mailto:dcormode@sbcglobal.net]
Sent: Sunday, June 01, 2008 3:33 PM
To: Hernandez, Nelson
Cc: Cole, Rick; Councilmembers; Rangwala, Kaizer; DANIEL CORMODE
Subject: California Environmental Quality Act (CEQA) and Cumulative/Fiscal Impact

Nelson,

An analysis of data from various sources of planned and future possible residential development project submissions such as community meetings, planning commission meetings and city council meetings in the City of San Buenaventura has resulted in the determination that there are approximately 6,613 dwelling units either planned or are part of future residential projects. The total of 6,613 planned or future residential projects from the period of 2005-2008 comprise from 64% to 88% of the total 7,512 or 10,241 projected dwelling units

planned to be built during the current 2005 General Plan period of 2005-2025. The size of the Wells-Saticoy Community is expected to double as a result of planned or future residential projects. [It is unclear where these numbers come from hence I do not accept the premise that they are correct.](#)

The *CEQA Guidelines* require that an EIR provide a discussion of cumulative impacts, which is a change in the environment that results from adding the effect of the project to those effects of closely-related past, present and probable future projects. The discussion should focus on whether the impacts of the project would result in cumulative effects, and therefore need not consider cumulative impacts to which the project does not contribute. The cumulative analysis should be based upon past, present, and probable future projects and a summary of projections contained in an adopted general plan or related planning document or in a certified environmental document, which described or evaluated regional or areawide conditions contributing to the cumulative impact. [We agree that cumulative impacts should be considered.](#)

To my knowledge, there have been no cumulative physical, environmental or fiscal impact analyses performed to specifically identify and quantify the specific resources and infrastructure requirements nor have the magnitude of the capital or operating expenditures or revenue sources been identified to meet those requirements. The impact of physically planting a dwelling unit in the ground has generally been adequately identified and the specific plans paint a flowery picture of the benefits of new urbanism and smart growth, however, the benefits and related costs have not been quantified nor have requirements and locations for retail, commercial, industrial, manufacturing, educational and public facilities which provide both employment, goods and services have neither been identified or quantified. [These comments, while legitimate planning issues, are not subject to CEQA.](#)

It is recommended that all Negative Mitigated Declarations (MNDs) and Environmental Impact Reports (EIRs) both currently under development and planned for future development include a discussion of the above elements.

I look forward to hearing from you in the near future and if you have any questions or need any additional information, please feel free to contact my by telephone at 805-647-4063 or by e-mail at dcormode@sbcglobal.net.

R/

Daniel Cormode
805-647-4063